

Also, petition of Union League Club of New York, favoring passage of bill H. R. 220, by Mr. Goulden, against desecration of the flag by advertisements and in other ways—to the Committee on Military Affairs.

By Mr. OVERSTREET: Paper to accompany bill for relief of Thomas Brunker—to the Committee on Invalid Pensions.

By Mr. PUJO: Petition of citizens of St. Landry Parish, La., against construction of a dam across Bayou Courtableau—to the Committee on Rivers and Harbors.

By Mr. REYNOLDS: Paper to accompany bill for relief of Blair W. Peck—to the Committee on Pensions.

Also, papers to accompany bills for relief of John Davis and Joseph H. Stonebraker—to the Committee on Invalid Pensions.

By Mr. SABATH: Petition of Asiatic Exclusion League of North America, favoring a more effective Asiatic exclusion law—to the Committee on Foreign Affairs.

By Mr. SLAYDEN: Paper to accompany bill for relief of Mary A. and Clarence E. Haney—to the Committee on War Claims.

By Mr. STEENERSON: Petition of residents of Becker County, Minn., against the Johnston bill (S. 3940), providing for religious legislation in the District of Columbia—to the Committee on the District of Columbia.

By Mr. STURGISS: Paper to accompany bill for relief of Pary McNair—to the Committee on Invalid Pensions.

By Mr. TIRRELL: Paper to accompany bill for relief of George W. Clark—to the Committee on Invalid Pensions.

By Mr. WOOD: Paper to accompany bill for relief of Charles M. Goodfellow—to the Committee on Invalid Pensions.

By Mr. YOUNG: Petition of William S. Piper and others, of Michigan, favoring the pensioning of members of the Military Telegraphers' Corps in civil war—to the Committee on Invalid Pensions.

## SENATE.

THURSDAY, December 17, 1908.

The Senate met at 12 o'clock m.

Prayer by the Chaplain, Rev. Edward Everett Hale.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. ALDRICH, and by unanimous consent, the further reading was dispensed with.

The VICE-PRESIDENT. The Journal stands approved.

### DISMISSAL OF CASES BY COURT OF CLAIMS.

The VICE-PRESIDENT laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting a list of congressional cases dismissed on motion of the defendants May 13, 1907, for want of jurisdiction, which, with the accompanying papers, was referred to the Committee on Claims and ordered to be printed.

He also laid before the Senate a communication from the assistant clerk of the Court of Claims, certifying, pursuant to the order of the court, that the cases of Charles Choteau, No. 9990 (dismissed April 6, 1908), William Birdsong, No. 11907 A (dismissed January 6, 1908), and Andrew J. Musselman, No. 11908 C (dismissed January 6, 1908), were severally dismissed upon motions of the defendants, and were ordered by the court to be certified to the President of the Senate, etc., which was referred to the Committee on Claims and ordered to be printed.

### FINDINGS OF THE COURT OF CLAIMS.

The VICE-PRESIDENT laid before the Senate communications from the assistant clerk of the Court of Claims, transmitting certified copies of the findings of fact filed by the court in the following causes:

In the cause of the Trustees of the First Presbyterian Church of Paris, Ky., v. United States;

In the cause of St. Augustine's Roman Catholic Church, of Lebanon, Ky., v. United States; and

In the cause of the Shiloh Presbyterian Church, of Calhoun, Tenn., v. United States.

The foregoing findings were, with the accompanying papers, referred to the Committee on Claims and ordered to be printed.

### THE PARLIAMENT OF TURKEY.

Mr. CULLOM. Mr. President, I ask leave out of order to present a resolution for consideration at this time.

There being no objection, the resolution was read, considered by unanimous consent, and agreed to, as follows:

*Resolved*, That the Department of State be requested to communicate to the newly convened parliament of Turkey the congratulations and good wishes of the Senate of the United States.

### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. Browning, its Chief Clerk, returned to the Senate, in compliance

with its request, the bill (S. 7777) to authorize the St. Paul Bridge and Terminal Railway Company to construct a bridge across the Mississippi River at or near St. Paul, Minn.

The message also announced that the House had passed a bill (H. R. 22879) to amend an act entitled "An act to amend an act to authorize the city of St. Louis, a corporation organized under the laws of the State of Missouri, to construct a bridge across the Mississippi River," approved January 23, 1908, in which it requested the concurrence of the Senate.

### ENROLLED BILLS SIGNED.

The message further announced that the Speaker of the House had signed the following enrolled bills and joint resolution, and they were thereupon signed by the Vice-President:

S. 2999. An act to amend an act entitled "An act to provide for the extension of New Hampshire avenue, in the District of Columbia, and for other purposes," approved February 27, 1907;

S. 4308. An act to change the name of V street, from Florida avenue to Nineteenth street NW., to California street;

S. 4814. An act to amend section 491 n of the Code of Law for the District of Columbia;

H. R. 22274. An act to authorize the St. Paul Bridge and Terminal Railway Company to construct a bridge across the Mississippi River at or near St. Paul, Minn.; and

H. J. Res. 206. Joint resolution to pay the officers and employees of the Senate and House of Representatives their respective salaries for the month of December, 1908, on the 19th day of said month.

### ADJOURNMENT TO SATURDAY.

Mr. ALDRICH. I move that when the Senate adjourns to-day it adjourn to meet on Saturday next.

The motion was agreed to.

### BUSINESS ON SATURDAY.

Mr. ALDRICH. I make the request that there be an understanding that no business shall be transacted by the Senate at its session on Saturday.

The VICE-PRESIDENT. The Senator from Rhode Island requests that it be understood that no business shall be transacted at its session on Saturday next.

Mr. HALE. I have just been present at a meeting of the Committee on the Census, and the chairman of the committee would like a reservation of the right to report the census bill on Saturday.

Mr. ALDRICH. Yes; that is excepted, as routine business.

Mr. BURKETT. The Senator from Montana [Mr. CARTER] is not here. I know that he is very anxious to push along the consideration of the postal savings bank bill. I think, perhaps, it may not be his intention to take up the bill for action before the holidays, but as I understand the request of the Senator from Rhode Island, it would not preclude the continuation of debate this week on that bill.

Mr. ALDRICH. A large number of Senators are about to leave the city; in fact, quite a number have already left, and I think the discussion of any question of general importance ought not to take place in the absence of a majority of the Senate.

Mr. BURKETT. I think we should not make the agreement in the absence of the Senator from Montana.

Mr. ALDRICH. I have no objection to let the question remain unacted upon until the Senator from Montana is present.

Mr. BURKETT. I think that would be perhaps the better way.

The VICE-PRESIDENT. The Senator from Rhode Island withdraws his request?

Mr. ALDRICH. I withdraw the request for the present.

### PETITIONS AND MEMORIALS.

Mr. GALLINGER presented the petition of Joseph L. Atkins, of Washington, D. C., praying for the enactment of legislation to establish a United States court of patent appeals, which was referred to the Committee on Patents.

He also presented a memorial of the Brightwood Citizens' Association, of the District of Columbia, remonstrating against the violation of section 16 of the act governing the operation of street railways by the street railway companies of the District of Columbia, which was referred to the Committee on the District of Columbia.

He also presented a petition of the Board of Trade of Washington, D. C., and the petition of W. H. Rapley, of Washington, D. C., praying for the enactment of legislation providing for a high-pressure water system in the District of Columbia, which were referred to the Committee on Appropriations.

Mr. PERKINS presented a petition of the committee on harbor of the Chamber of Commerce of Honolulu, Territory of Hawaii, praying that the present coastwise shipping law be continued in force, and also for the upbuilding of the American

merchant marine by subsidy, which was referred to the Committee on Commerce.

Mr. WARNER presented a petition of sundry citizens of the State of Missouri, praying for the adoption of a certain amendment to the present widows' pension law, which was referred to the Committee on Pensions.

Mr. WARREN presented a memorial of the Associated Banks of Sheridan, Wyo., remonstrating against the passage of the so-called "postal savings bank bill," which was referred to the Committee on Post-Offices and Post-Roads.

Mr. TAYLOR presented petitions of the Commercial Club of Johnson City, of the Business Men's Club of Memphis, and of the Board of Trade of Puaski, all in the State of Tennessee, praying for the enactment of legislation to establish a national forest reserve in the Southern Appalachian and White Mountains, which were ordered to lie on the table.

He also presented a petition of sundry citizens of Cleveland, Tenn., praying for the enactment of legislation granting pensions to the surviving members of the United States Military Telegraph Corps who served in the civil war, which was referred to the Committee on Pensions.

Mr. DEPEW presented petitions of sundry citizens of New York City, Brooklyn, Mount Vernon, and Yonkers, all in the State of New York, praying for the enactment of legislation granting pensions to the surviving members of the United States Military Telegraph Corps who served in the civil war, which were referred to the Committee on Pensions.

He also presented a petition of Local Grange No. 984, Patrons of Husbandry, of Chester, N. Y., praying for the passage of the so-called "rural parcels-post and postal savings bank bills," which was referred to the Committee on Post-Offices and Post-Roads.

Mr. SUTHERLAND presented petitions of Local Unions Nos. 67, 199, 201, 237, and 249, of Bingham, Mercur, Castle Gate, and West Jordan, all of the United Mine Workers of America, in the State of Utah, praying that an investigation be made into the conditions of mines operated by the Treadwell Mining Company on Douglas Island, Alaska, which were referred to the Committee on Mines and Mining.

Mr. HOPKINS presented a petition of Local Lodge, International Brotherhood of Blacksmiths and Helpers, of Chicago, Ill., praying for the enactment of legislation to prohibit the immigration of Asiatics into the United States, excepting merchants, students, and travelers, and remonstrating against extending the right of naturalization to Asiatics, which was referred to the Committee on Immigration.

Mr. CARTER presented a petition of sundry citizens of the State of Montana, praying for the enactment of legislation to create an additional land district in that State, to be known as the "Harlowton land district," which was referred to the Committee on Public Lands.

Mr. BROWN presented sundry affidavits to accompany the bill (S. 7055) granting an increase of pension to James M. Thomas, which were referred to the Committee on Pensions.

He also presented sundry papers to accompany the bill (S. 7066) granting an increase of pension to Alva L. Fitch, which were referred to the Committee on Pensions.

Mr. HEYBURN presented a petition of Local Union No. 9, United Mine Workers of America, of Coeur d'Alene, Idaho, and a petition of Local Union No. 10, United Mine Workers of America, of Burke, Idaho, praying that an investigation be made into the conditions of mines operated by the Treadwell Mining Company on Douglas Island, Alaska, which were referred to the Committee on Mines and Mining.

He also presented sundry affidavits to accompany the bill (S. 7874) granting an increase of pension to Eri C. Tuller, which were referred to the Committee on Pensions.

He also presented sundry affidavits to accompany the bill (S. 7323) granting an increase of pension to James Kirby, which were referred to the Committee on Pensions.

#### ESTATE OF ISABELLA ANN FLUKER, DECEASED.

Mr. FULTON, from the Committee on Claims, reported the following resolution, which was considered by unanimous consent and agreed to:

*Resolved*, That Senate bill 7331 for the relief of the estate of Isabella Ann Fluker, deceased, together with all accompanying papers, be, and the same is hereby, referred to the Court of Claims in pursuance of the provisions of an act entitled "An act to provide for the bringing of suits against the Government of the United States," approved March 3, 1887, and commonly known as the "Tucker Act."

#### BILLS INTRODUCED.

Mr. KNOX (by request) introduced a bill (S. 7903) to change the date of commission of Col. John L. Chamberlain, Inspector-General, U. S. Army, which was read twice by its title and referred to the Committee on Military Affairs.

Mr. BOURNE introduced a bill (S. 7904) to increase the salaries of the President and Vice-President of the United States, respectively, to \$100,000 and \$25,000 per annum, which was read twice by its title and referred to the Committee on Finance.

Mr. DEPEW introduced a bill (S. 7905) granting an increase of pension to Wesley Trafford, which was read twice by its title and, with the accompanying paper, referred to the Committee on Pensions.

He also introduced a bill (S. 7906) granting a pension to Charles N. Phelps, which was read twice by its title and referred to the Committee on Pensions.

He also introduced a bill (S. 7907) granting an increase of pension to Milo S. Goldthwait, which was read twice by its title and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 7908) for the relief of Patrick McCormick, which was read twice by its title and referred to the Committee on Military Affairs.

Mr. GALLINGER introduced a bill (S. 7909) to amend an act entitled "An act to distinctively designate parcels of land in the District of Columbia for the purposes of assessment and taxation, and for other purposes," approved March 3, 1899, which was read twice by its title and, with the accompanying papers, referred to the Committee on the District of Columbia.

Mr. CLARK of Wyoming introduced a bill (S. 7910) for the relief of J. Blair Shoenfelt, former United States Indian agent, Union Agency, Okla., which was read twice by its title and referred to the Committee on Indian Affairs.

Mr. du PONT introduced the following bills, which were severally read twice by their titles and referred to the Committee on Pensions:

A bill (S. 7911) granting a pension to William Miles; and

A bill (S. 7912) granting a pension to Hannah Traynor.

Mr. SUTHERLAND introduced a bill (S. 7913) granting an increase of pension to Edward D. Le Compte, which was read twice by its title and referred to the Committee on Pensions.

Mr. PILES (for Mr. CLAPP) introduced the following bills, which were severally read twice by their titles and referred to the Committee on Indian Affairs:

A bill (S. 7914) to amend sections 7 and 8 of the act of May 29, 1908 (35 Stat. L., p. 460), entitled "An act to authorize the sale and disposition of a portion of the surplus and unallotted lands in the Cheyenne River and Standing Rock Indian reservations in the States of South Dakota and North Dakota, and making appropriation and provision to carry the same into effect;"

A bill (S. 7915) to authorize the Secretary of the Interior to fulfill certain treaty stipulations with the Chippewa Indians of Lake Superior and the Mississippi, and making appropriation for the same;

A bill (S. 7916) to amend an act approved May 8, 1906, entitled "An act to amend section 6 of an act approved February 8, 1887, entitled 'An act to provide for the allotment of lands in severalty to Indians on the various reservations, and to extend the protection of the laws of the United States and the Territories over the Indians, and for other purposes;'" and

A bill (S. 7917) for the enrollment in the Five Civilized Tribes of certain persons inadvertently omitted from the rolls (with the accompanying paper).

Mr. PILES introduced a bill (S. 7918) for the relief of Bernard W. Murray, which was read twice by its title and referred to the Committee on Claims.

Mr. PERKINS introduced the following bills, which were severally read twice by their titles and referred to the Committee on Territories:

A bill (S. 7919) for the protection of wild animals and birds in the interior of Alaska and setting aside a refuge and breeding place therefor; and

A bill (S. 7920) for the protection of wild animals and birds in Alaska and setting aside a refuge and breeding place therefor.

Mr. OVERMAN introduced a bill (S. 7921) granting a pension to Wiley S. Roberts, which was read twice by its title and referred to the Committee on Pensions.

Mr. OVERMAN (for Mr. SIMMONS) introduced a bill (S. 7922) for the relief of the heirs of Mary Everitt, deceased, which was read twice by its title and, with the accompanying paper, referred to the Committee on Claims.

Mr. CULBERSON (for Mr. GORE) introduced a bill (S. 7923) granting a pension to Jeremiah Dotter, which was read twice by its title and referred to the Committee on Pensions.

Mr. HOPKINS introduced a bill (S. 7924) granting an increase of pension to George W. Rollman, which was read twice by its title and, with the accompanying papers, referred to the Committee on Pensions.

Mr. CARTER introduced a bill (S. 7925) to create an additional land district in the State of Montana, to be known as the

"Harlowton land district," which was read twice by its title and referred to the Committee on Public Lands.

Mr. HALE introduced a bill (S. 7926) granting a pension to Julia B. Coghlan, which was read twice by its title and referred to the Committee on Pensions.

Mr. MONEY introduced a bill (S. 7927) for the relief of the heirs of Sarah R. Farmer, deceased, which was read twice by its title and, with the accompanying paper, referred to the Committee on Claims.

He also introduced a bill (S. 7928) for the relief of the estate of Ann M. Meehan, deceased, which was read twice by its title and, with the accompanying paper, referred to the Committee on Claims.

Mr. FRYE introduced the following bills, which were severally read twice by their titles and, with the accompanying papers, referred to the Committee on Pensions:

- A bill (S. 7929) granting a pension to Maria E. Tilton; and
- A bill (S. 7930) granting a pension to Aaron O. Houghton.

Mr. BORAH introduced the following bills, which were severally read twice by their titles and, with the accompanying papers, referred to the Committee on Pensions:

- A bill (S. 7931) granting an increase of pension to Samuel L. Shannon;
- A bill (S. 7932) granting an increase of pension to Charles Hobart;
- A bill (S. 7933) granting an increase of pension to George W. Curl; and
- A bill (S. 7934) granting an increase of pension to Amasa Smith.

Mr. BOURNE introduced the following bills, which were severally read twice by their titles and, with the accompanying papers, referred to the Committee on Pensions:

- A bill (S. 7935) granting an increase of pension to Charles G. Fink; and
- A bill (S. 7936) granting an increase of pension to Boyd Cannady.

Mr. WARNER introduced a bill (S. 7937) for the relief of W. D. McLean, alias Donald McLean, which was read twice by its title and referred to the Committee on Military Affairs.

He also introduced a bill (S. 7938) for the relief of John H. Cole, which was read twice by its title and referred to the Committee on Claims.

Mr. FORAKER introduced a bill (S. 7939) granting a pension to Ellen T. Cowen, which was read twice by its title and, with the accompanying papers, referred to the Committee on Pensions.

Mr. CULLOM. On behalf of the Senator from Wisconsin [Mr. STEPHENSON], who was called away on account of a death in his family, I introduce sundry bills, with accompanying papers, and ask that they be referred to the Committee on the Judiciary.

The bills were severally read twice by their titles and, with the accompanying papers, referred to the Committee on the Judiciary:

A bill (S. 7940) to amend an act entitled "An act making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1896, and for other purposes;"

A bill (S. 7941) to amend section 3613 of the Revised Statutes of the United States;

A bill (S. 7942) to amend section 2619 of the Revised Statutes of the United States; and

A bill (S. 7943) to amend section 2625 of the Revised Statutes of the United States.

Mr. BACON introduced a bill (S. 7944) granting an increase of pension to Gertrude S. Walker, which was read twice by its title and referred to the Committee on Pensions.

#### AMENDMENTS TO DIPLOMATIC AND CONSULAR APPROPRIATION BILL.

Mr. LODGE submitted an amendment proposing to appropriate \$400,000 for the purchase of a building and grounds, or of a site and the erection of a building thereon, in the city of Paris, France, for the use of the embassy at that city, etc., intended to be proposed by him to the diplomatic and consular appropriation bill, which was referred to the Committee on Foreign Relations and ordered to be printed.

He also submitted an amendment proposing to increase the salary of the envoy extraordinary and minister plenipotentiary to China from \$12,000 to \$17,500, intended to be proposed by him to the diplomatic and consular appropriation bill, which was referred to the Committee on Foreign Relations and ordered to be printed.

#### PANAMA CANAL PURCHASE.

On motion of Mr. WARREN, it was

Ordered, That the Secretary be directed to return to the Departments of State, War, and Justice all the documents and papers transmitted by the President of the United States to the Senate in his message of

December 15, 1908, which were formerly a part of the files of these departments and were not printed by an order of the Senate.

#### THE MARINE CORPS.

Mr. RAYNER. I ask that the following resolution be read and referred to the proper committee.

The resolution was read, as follows:

Whereas the President of the United States has lately promulgated a series of orders in connection with the Marine Corps, detaching them from battle ships and requiring them to perform certain tests, as are fully set forth in said orders: Now be it

Resolved, That the Committee on Military Affairs is hereby instructed to inquire and report, first, whether the President, under existing statutes, has the authority to issue these orders.

Second. Whether, if he has such authority, the execution of these orders would not impair the efficiency of the marine service instead of advancing it, and whether the service would not thereby be diverted from the purpose for which it was intended by law.

Third. Whether Congress has not the right to prescribe a set of rules and regulations for the government of the Marine Corps which will bind the President, as Commander in Chief of the Army and Navy of the United States; and, if so, to report a set of rules for the government of the Marine Corps to effect the purpose for which said corps was organized and to promote its usefulness.

Mr. HALE. I call the attention of the Senator from Wyoming [Mr. WARREN] to the resolution. Perhaps he may not have listened to the reading of it.

Mr. WARREN. I did not.

Mr. HALE. It provides that action relating to the Marine Corps, the President's order fixing the duties of members of that corps, shall be considered and reported upon by the Committee on Military Affairs. The Senator will remember that the Marine Corps is a part not of the army establishment, but of the navy. I should like to have his view as to whether this subject should go to the Military Committee or the Naval Committee.

Mr. WARREN. Mr. President, I confess to having been engaged in reading a paper, and I did not hear the resolution. I wish it might be read again.

The VICE-PRESIDENT. The Secretary will again read the resolution, at the request of the Senator from Wyoming.

The Secretary again read the resolution.

Mr. WARREN. If the Military Committee should be charged with the responsibility of that resolution, I think they would expect to have the views of the Committee on Naval Affairs. I see the reasons why the chairman of the Committee on Naval Affairs called my attention to it. I see no reason why the resolution should not go to the Committee on Naval Affairs.

Mr. HALE. I move that the resolution be referred to the Committee on Naval Affairs.

Mr. RAYNER. Mr. President, I have no objection at all to the resolution going to the Committee on Naval Affairs. The President of the United States, I understand, by an order issued some weeks ago, detached the Marine Corps from the battle ships, to be turned into policemen or patrolmen or janitors or whatever else they may be called, and yesterday he promulgated another series of orders. I infer that the President intended to take them away entirely from the jurisdiction of the navy. It looks to me that way. For that reason I simply proposed to send the resolution to the Committee on Military Affairs, but I want to say that I have not the slightest objection in the world to sending it to the Committee on Naval Affairs. I submit to any change the chairman of the committee wants to make in the resolution.

Mr. HALE. I have moved that it be referred to the Committee on Naval Affairs.

The motion was agreed to.

#### SUPPRESSION OF TRUSTS, ETC.

Mr. DAVIS. The bill (S. 7371) to suppress pools, trusts, and combinations in trade, and to provide penalties for violations of its provisions, and for other purposes, is on the Table Calendar. I desire to call up the bill for the purpose of moving that it be referred to the Committee on the Judiciary.

The VICE-PRESIDENT. The Chair lays the bill before the Senate.

The Secretary read the bill by title.

The VICE-PRESIDENT. The Senator from Arkansas asks that the bill be referred to the Committee on the Judiciary. Without objection, it is so ordered.

#### GAMBLING IN FARM PRODUCTS.

Mr. DAVIS. I desire to give notice that on January 26, after the morning business, I shall desire to address the Senate on the bill (S. 7370) to prohibit any person or corporation, for themselves or for or in the interest of any other person or corporation, directly or indirectly, from delivering, receiving, or transmitting, and from being interested in, or aiding in any manner, the receiving, delivering, or transmitting by mail, telegraph, telephone, or other means whatever, in any State, district, country, Territory, or place over which the sovereignty of the United States of America now exists, any message, information, intelligence, letter, writing, card, device, sign, sym-

bol, cipher, or other thing whatsoever, the subject of the senses, or any of them, whereby intelligence or information may be conveyed or understood, relating to or in any manner or form concerning any transaction or proposed or suggested transaction, scheme, or plan to speculate or gamble, or gain or lose sums of money called "margins," which gains or losses, respectively, are made to depend upon the future increase or decrease of the market price of any product of the soil, provided that at the time of such transaction, proposed transaction, scheme, or plan for so speculating or gambling and such product of the soil be the subject of interstate commerce, or the subject of commerce from, or by and between, the people of the United States of America and the people of any foreign country.

## HOUSE BILL REFERRED.

H. R. 22879. An act to amend an act entitled "An act to amend an act to authorize the city of St. Louis, a corporation organized under the laws of the State of Missouri, to construct a bridge across the Mississippi River," approved January 23, 1908, was read twice by its title and referred to the Committee on Commerce.

## COLLECTION DISTRICTS IN OREGON.

Mr. BOURNE. I ask that Senate bill 6788 be laid before the Senate.

The VICE-PRESIDENT. The Chair lays before the Senate the bill (S. 6788) to amend sections 2586 and 2587 of the Revised Statutes of the United States, as amended by the acts of April 25, 1882, and August 28, 1890, returned from the House of Representatives in compliance with the request of the Senate.

Mr. BOURNE. I move to reconsider the votes by which the bill was ordered to a third reading and passed.

The motion to reconsider was agreed to.

Mr. BOURNE. I offer an amendment to the bill.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. On page 2, beginning with line 16, strike out the following words:

North of the forty-fifth degree of north latitude to the north bank of the Columbia River and east to the one hundred and twenty-third degree of west longitude—

And in lieu thereof insert the following:

within the territory described as follows:

"Beginning at the summit of the Coast Mountains on the forty-fifth degree of north latitude, running thence west to the Pacific Ocean, thence north to where the north bank of the Columbia River intersects the Pacific Ocean, thence easterly and southerly along and including the north bank of the Columbia River to where 122° 46' 55" west longitude intersects 45° 51' north latitude, thence westerly to the summit of the Coast Mountains, thence southerly along the summit of said Coast Mountains to the place of beginning."

So as to read:

Third. The district of Astoria, to comprise all the waters and shores lying within the territory described as follows:

Beginning at the summit of the Coast Mountains on the forty-fifth degree, north latitude, running thence west to the Pacific Ocean, thence north to where the north bank of the Columbia River intersects the Pacific Ocean, thence easterly and southerly along and including the north bank of the Columbia River to where 122° 46' 55" west longitude intersects 45° 51' north latitude, thence westerly to the summit of the Coast Mountains, thence southerly along the summit of said Coast Mountains to the place of beginning, in which Astoria shall be the port of entry.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

## ST. PAUL BRIDGE AND TERMINAL RAILWAY COMPANY.

The VICE-PRESIDENT laid before the Senate the bill (S. 7777) to authorize the St. Paul Bridge and Terminal Railway Company to construct a bridge across the Mississippi River at or near St. Paul, Minn., returned from the House of Representatives in compliance with the request of the Senate.

Mr. CLAPP. I move to reconsider the votes by which the bill was ordered to a third reading and passed.

The motion to reconsider was agreed to.

Mr. CLAPP. I move that the bill be indefinitely postponed.

The motion was agreed to.

## BUSINESS METHOD OF POST-OFFICE DEPARTMENT.

Mr. CARTER. I submit the final report of the Joint Commission on the Business Method of the Post-Office Department and the Postal Service, under the act of Congress approved March 2, 1907, accompanied by a draft of a proposed bill to codify, revise, and amend the postal laws of the United States recommended by the joint commission. I move that the report and draft of the proposed bill be referred to the Committee on Post-Offices and Post-Roads.

The motion was agreed to.

The bill (S. 7945) to codify, revise, and amend the postal laws of the United States was read twice by its title and referred to the Committee on Post-Offices and Post-Roads.

Mr. CARTER. In this connection I ask that 2,000 additional copies of the report and draft of the proposed bill be printed for the use of the Committee on Post-Offices and Post-Roads.

The VICE-PRESIDENT. Without objection, it is so ordered.

The order was reduced to writing and agreed to, as follows:  
Resolved, That there be printed 2,000 additional copies of the bill (S. 7945) to codify, revise, and amend the postal laws of the United States, and report thereon, for the use of the Senate Committee on Post-Offices and Post-Roads.

## BUSINESS ON SATURDAY.

Mr. ALDRICH. I now renew the request I made a moment since, that there be an understanding that no business, aside from routine morning business, shall be transacted at the session of the Senate on Saturday.

The VICE-PRESIDENT. The Senator from Rhode Island requests that no business be transacted at the session of the Senate on Saturday next, excepting routine morning business. Is there objection?

Mr. FULTON. I understand that will not preclude the making of committee reports.

Mr. ALDRICH. Oh, no.

Mr. FULTON. I am especially careful to have that reservation made, and I understand it has been made. I exercise this care because I am confident that the chairman of the Committee on Interstate Commerce is very industriously at work preparing a report on Senate bill No. 423, which was referred to his committee in the early part of the last session. During the late hours of the last session he very earnestly expressed his desire and affirmed his intention to report the bill before the adjournment this session for the holidays.

I am in deep sympathy with the Senator, because I know he has been laboring very earnestly to get up a report, and has found some difficulty in framing it just as he wants it. I have no doubt he will shortly solve the difficulties and will be here Saturday early asking leave to submit the report. It would be a bitter disappointment to him were he prevented from so doing by an oversight in the order now proposed.

Mr. LODGE. Saturday will be the last opportunity before the holidays.

Mr. FULTON. Saturday will be the last opportunity before the holidays, and, of course, it can not possibly be assumed or presumed that the Senator will fail to make the report at that time.

The VICE-PRESIDENT. Without objection, the request of the Senator from Rhode Island is agreed to.

## POSTAL SAVINGS BANKS.

Mr. CARTER. I ask that the unfinished business be laid before the Senate.

The VICE-PRESIDENT. The Senator from Montana moves that the Senate proceed to the consideration of the bill (S. 6484) to establish postal savings banks for depositing savings at interest, with the security of the Government for repayment thereof, and for other purposes.

The motion was agreed to; and the Senate, as in Committee of the Whole, resumed the consideration of the bill.

Mr. BURKETT. Mr. President, it had not been my intention, I will say to the Senate, to occupy any time in a general discussion of this postal savings bank subject. I had rather expected to confine my remarks to some special provisions in the bill when it came up for final hearing. I will say I had also hoped that this bill might have passed to final consideration and passage before the holidays. But it seems from circumstances that we will not be able to get a final consideration before our adjournment for the holidays, and I desire therefore to speak this morning generally upon the subject.

I want to say in the beginning that I am not a recent convert, and that I speak as one long since persuaded of the advisability of such legislation, and as one who has already taken interest enough in the subject to prepare and introduce a bill at the last session of Congress, and also as one who took some part in securing a day certain for its consideration.

I also want to remind the Republicans of this body that we are each of us pledged to the American people by our last national platform, as well as by every speaker who went upon the stump in the recent campaign, to enact this legislation.

I had the honor, as did a good many Senators on the Republican side, to be a delegate to that convention and of helping to adopt that platform, and upon a hundred occasions I assured my hearers that this Republican pledge would be fulfilled.

Therefore I am true to my own convictions, I am true to my party's pledges, and I am true to the confidence which the American people reposed in us when I speak this morning in support of the pending bill.

In my opinion, Mr. President, we ought to enact this legislation without much of delay. We ought not to juggle with the

confidence of the American people, so recently and so universally reposed in us as a party. We ought not, by procrastination, to exasperate the American people with the idea already too prevalent, let me say, that there are influences more potent and more controlling in legislation than the interests of the great mass of the people.

Whatever may be Senators' idea as to the effect of this legislation upon those within their own small circle of friends, no Senator can be blind to the efficacy of it and the desirability of it to the untold thousands of Americans without the domain of legislative influence other than the ballot of American citizenship.

I speak thus because we are all creatures of environment, more or less, and our personal contact with men may restrict our views to the interests of the few we know or the few who write to us upon the subject. But Senators should remember that beyond the few they know are the many they do not know, and beyond the comparatively few in number, and even more limited in the diversification of interests, who have written to them upon the subject, are the untold millions of Americans who have never written, who would not know how to write, and who would not have the courage, perhaps, to write to a United States Senator upon this or any other subject.

Those are the people that this legislation is for, and those people, I say, have never been heard from. Those people may have thought of this subject and they may have not. They may have thought favorably of it and they may have never thought of it at all. But there is not a Senator here who has followed the course of the history of savings banks in this country and of postal savings banks in other countries but must be persuaded of the value of the one and of the greater value of the other.

I am going to speak plainly here this morning. I understand—although I know no good reason for it—that there is a determination about the Senate Chamber to delay, with the possible hope of ultimately defeating, the consideration of this bill. I say I do not understand why, because it is legislation so long considered, so universally desired, and yet so long delayed, that, in my opinion, there can be no reasonable excuse for dilatory tactics to prevent its coming to a vote. The American people want it and, in my opinion, the emergencies of these times demand its enactment. So I can say that it is both popular in esteem and it is potential for good.

Of course sometimes we hear that the subject has not had consideration. Each of us within the last few days has had handed to us a very strong speech made against the postal savings proposition.

One of the criticisms in that speech is that it has never been considered, that it has been foisted onto the American Congress at this time by theorists, and that it is an untried venture. In fact, a member of this body said to me the other day, "Nobody has even considered this subject at all," and when I made the reply to him that we had already had some Senate reports heretofore he questioned the statement that it had ever been considered and was very certain that no report had ever been made before. And yet there have been two favorable Senate reports and none unfavorable. The House of Representatives has considered the subject, and their committee reported favorably upon it in times past. I find that three or four or half a dozen Presidents have recommended it in their messages. Every Postmaster-General has recommended it for almost twenty years. In addition to that, let me say that in 1897 the United States Senate itself took action in the matter and passed a resolution asking the Secretary of State to call upon our consular officers in foreign countries to report upon the result of postal savings banks operations there. Those investigations were made, and I have the Secretary's report this morning—over 300 pages. It was printed as a Senate document in 1898 and is a history of the working of the postal savings system in other countries up to that time.

Not only that, but away back in Blaine's time the Senate passed a similar resolution, and Mr. Blaine, as Secretary of State, sent to all of our consular officers abroad and got reports upon the operation of the postal savings system in other countries.

There have been 73 bills introduced in the Senate and the House. I find on looking up the matter 15 consular reports, separate from those that I refer to, contain articles upon the operation of the postal savings system in other countries. I also find 57 separate and distinct articles in the current magazines in the last half dozen years.

So I say it is not a new subject that has not been considered, and that the people are not concerned in, because I undertake to say that there has not been any matter of legislation that has received more universal attention than has the subject of the postal savings system.

I have observed in my short career as a member of this body that when any new legislation is contemplated it is met first with the doubt and fear as to its constitutionality, and second with the criticism that it is visionary in its inception and socialistic in its tendency.

I realize, of course, that any legislation which undertakes to have the Government do anything for the people is both visionary and revolutionary in the minds of some people, but I am glad to say that those people have never been able to control the Republican party for any great length of time, nor to handicap the American Congress in its course of progressive legislation. We all recall that the meat-inspection bill of a year or two ago was both revolutionary and unconstitutional in the minds of some people, but it is doing very successful and very satisfactory business, notwithstanding the somewhat of a handicap it labored under at the beginning, as beyond the pale of legitimate and honest legislation. The child-labor question has had to run that same gantlet.

Mr. BORAH. Mr. President—

The VICE-PRESIDENT. Does the Senator from Nebraska yield to the Senator from Idaho?

Mr. BURKETT. I do.

Mr. BORAH. As the Senator from Nebraska is suggesting something about the constitutional feature of this bill, I should like to ask the Senator if he thinks it is within the power of Congress to enter within the domain of a State and control the domestic relations of the State with reference to the exemptions which should prevail, and with reference to the taxation of property and the exemption from payment of debts and of garnishee, as this bill purports to do? Can not that be better left to the States?

Mr. BURKETT. I will say, Mr. President, in response to that that I have not myself any doubt upon that proposition. I will also say to the Senator, as I said in the beginning, that it is not my intention to-day to go into any details as to the sections which I understand are to be the disputed sections. Section 10 provides as to exemptions from taxation and from garnishment and attachment. Perhaps that matter ought to receive consideration at the time when it is up especially for consideration.

I want to say, however, Mr. President, that the Senator's question only illustrates what we always have to contend with when we undertake to enact any legislation of this sort.

Senators can remember that it took almost a decade of time and almost a new generation of men to determine in this country that it was not unconstitutional for the American people to have pure food and pure drugs. For a hundred years the wise men of the past, statesmen and philosophers, respected more their vague and technical interpretation of the Constitution and their worm-eaten and antiquated ideas of governmental functions than their own health and happiness. I suspect when they partook of their frugal repast—as Senators' repasts always are, of rye bread and filled cheese, with oleomargarine for butter and clover seed and gelatin for strawberry jam—they comforted themselves with the hallucination that they were martyrs to the perpetuity of the Republic and the eternal luster of "Old Glory." For all these years this legislation has met with the same contention, the same doubt, the same fear somewhere that we might perhaps overstep the boundaries of our legitimate functions or of our powers and prerogatives.

It took fifteen years of patient and persistent endeavor to make some men believe that it would neither wreck the Republic nor ruin the railroads for Uncle Sam to take a hand in the legitimate control of our great transportation companies; and yet one objection after another has melted away, until to-day everybody wonders who it was that objected. Within a week we have seen in the public press the address of one of the great railway magnates in this country complimenting the Congress upon the legislation that it has enacted. When the resumption of specie payment—

Mr. RAYNER. Will the Senator from Nebraska allow me to ask him a question?

The VICE-PRESIDENT. Does the Senator from Nebraska yield to the Senator from Maryland?

Mr. BURKETT. Certainly.

Mr. RAYNER. Mr. President, I do not know whether I am in favor of this bill or opposed to it. The trouble I have about it is this: You will admit that we must put this bill under some clause of the Constitution—I believe that is admitted—and that if we can incorporate postal savings banks they must come under some clause of the Constitution. Now, what clause of the Constitution is it under which this legislation is proposed?

Mr. BURKETT. I will say, in response to the Senator's inquiry, that I expect to refer briefly to that a little later on, but I think the general-welfare clause would cover it.

Mr. RAYNER. Oh, the general-welfare clause would cover everything on earth. I am aware of that.

Mr. BURKETT. Well, it has covered a good many things, I will say to the Senator.

Mr. RAYNER. Is that the proposition? You do not put it under the clause to establish post-offices and post-roads, for it is hardly possible that we could turn a post-office into a bank; you do not put it under the clause giving the power to coin money and to regulate the value thereof; but this bill is put under the general-welfare clause of the Constitution. Some of us want to understand that, because we do not believe—I certainly do not believe—that the general-welfare clause means anything in the world, and I do not think the Supreme Court of the United States has ever said that it does.

Mr. BURKETT. Well, Mr. President, I will say that we may have some apprehension as to our power to start a bank under the Post-Office Department, but I think we have stretched our power to that extent. We are even to-day selling money orders and charging exchange for them. We have carried freight; we have done a messenger business, and are doing a messenger business. We have subsidized railroads and steamship lines; we are developing commerce; we have opened up the frontier under the little section of the Constitution providing that "Congress shall have power to establish post-offices and post-roads." Let me say, if we can not stretch that clause, there is that other clause that we shall be able to rely upon; under the general-welfare clause the Government by eminent domain acquired the battlefield of Gettysburg for park purposes. If it can be used there, I think we can safely rely upon it now, even though we may not have the power under the limitations of the clause with reference to establishing post-offices and post-roads.

I have seen Congress, or a part of it, apprehensive before, and that is why I have called attention to the meat-inspection bill and the rate bill in this connection. I have spoken as I have for the consolation of those really honest but timid souls who would rather offend the interests of all the people and the common sense of all the world than to offend their own theoretical and shelf-worn interpretation of governmental function. I have an optimistic notion that the world will finally become so practical that most men will be able to see that ideas expand as the years go by, and that our most profound convictions under to-day's environments may become our own jest on the morrow. But more particularly I have spoken of the development of governmental function for the sake of that other class of people always attendant at times like these, and who, less disturbed by conviction, are none the less persistent in projecting their ideas of function and power into every discussion of this sort.

Now, so far as the Constitution is concerned, I revere it, as every American citizen ought to revere it, as an instrument essentially for the protection of the people's rights, rather than for the curtailment of their opportunities and their possibilities. A written constitution was an experiment, we know, and there are strong men in the land to-day who believe that it must be enlarged very rapidly by interpretation or abandoned altogether under the strain of industrial development and the progress of human ingenuity. Within a month I have heard a Judge of a United States court express the belief that it would have been better, as in England, never to have had a written Constitution, that we might never have been handicapped by the uncertain and the outgrown interpretation of written words, rather than directed by the necessities of the age, in the spirit of formula and precedent.

But however that may be, let me say that I am not disturbed by any fear of lack of power that we may have to enact this legislation. As I replied to the Senator from Maryland [Mr. RAYNER], the general-welfare clause has been too liberally interpreted and too often relied upon to sustain necessary legislation for the good of the people to halt us at this particular time and in this particular legislation. When I recall, as I said, that that clause gave the Government the power to acquire the battlefield of Gettysburg by eminent domain, a thing perhaps furthest removed from the contemplation of those who framed the Constitution, and that perhaps it has been relied upon for the relief that we have extended to peoples beyond our own boundaries, I have no fear but what it will justify us in enacting this legislation at this particular time for the welfare of our own people.

Surely it is no further from the authority of the written word of the Constitution to pay interest on deposits of the people's money than it is to pay interest on bonded indebtedness if both dollars perform the same function for the Government. It is no further from governmental function to receive deposits than it is to pay exchange. The Post-Office Department to-day is doing a score of things beyond the strictly legitimate function

of a post-office, to establish which only is Congress given authority in the words of the Constitution. Congress was given power under the Constitution to establish post-offices and post-roads, but to-day the post-office is doing a money-order business and charging exchange in competition with individual enterprise.

As I said a moment ago also, it is not only doing that, but under that single line of the Constitution the Post-Office Department to-day is carrying freight and doing a messenger business. It has subsidized railroads and steamship lines, and thus has developed commerce and opened up the frontier.

Let me say also that I am not dismayed by the uncertainty of the undertaking nor alarmed by its impracticability.

This is not a new venture, whose untrod paths should appall us, for practically every important nation on earth except the United States and one other has a postal savings system now in operation. Old England pioneered the way, and in 1861 brushed aside the obstacles and overcame many, I think I may say all, of the arguments that have been made against this legislation here and throughout the country.

I have been interested in reading recently a little musty old volume entitled "Lewins's History of Savings Banks" to find that more than half a century ago there was arrayed against postal savings banks in England identically the same interests—notice it—identically the same interests, and fighting with identically the same weapons and the same arguments that we have had to meet here in America in the progress of this legislation. Some people at the time that legislation was enacted there opposed it because they thought the people employed in the post-office department would not be competent for the work. Others opposed it for fear that it would raise up an institution of so gigantic proportions that it would have very important and very deleterious results upon the commerce and industries of the country. Others were afraid that it would not only absorb all the future deposits, but that it would absorb all the deposits in existing banks.

I remember another member of the House of Lords opposed it because he said it never could take root in the smaller places. There is an anomaly—one man opposing it for fear it would absorb all the deposits, another man opposing it for fear that it would never take root at all. Some opposed it on the ground of expense. Others opposed it because they wanted to keep the banking of the people separate from the National Treasury. Some objected to it for fear that the people would not be satisfied with the interest allowed and that in response to a popular demand the rates would be raised until it would interfere with existing establishments and entail a large expense on the people. Some had misgivings that it would put the Government to operating on the stock market. Some thought it unwise to establish new banks on the deficiencies of the old banks, and that it would be better to improve the old system than to create a new system, and referred to the old system of banks as the glory of England that all Europe had emulated.

Others opposed it, just as some are opposing it in this country, on the theory that it would be too centralizing in its effects and that it would tend to drain all the money out of certain localities. One member of the House of Lords, after it was found that the bill would certainly pass, offered an amendment that would restrict the new postal savings banks only to those localities where a bank did not already exist.

In it all there was apparently but one motive, and running through all the pages and volumes of speeches that were made against that legislation of England fifty years ago, one can not help but observe that there was but one real objection. William E. Gladstone, as was said by the Senator from Montana [Mr. CARTER] the other day, was leading that discussion, and he was master of the situation. Great mind that he had, he separated the kernel from the chaff, and tersely and effectively he drove home the argument that obliterated every objection and quieted for all time, so far as old England was concerned, every objector. After days of debate, of fear and frenzy, of misgivings and apprehension, Gladstone replied. He said he did not know whether the new banks would be injurious to the old banks or not; but if they should be, it would be only because the new banks would be the safest and the best. I am not so much concerned, said Mr. Gladstone, about supplying competition for the old banks as I am about supplying facilities that do not now exist.

So again I say this is not a new venture, uncertain in results and unvouched for by experiment. We are not embarrassed by possible or threatened industrial and financial revolution, for other nations have tried it. As was said here yesterday by some one, twenty-six nations have adopted a system of postal savings banks. England and Wales and Austria and Belgium, France and Hungary and Ireland and Italy and India, the Netherlands, New Zealand, Scotland, Sweden, and

Russia and Japan have all adopted a postal savings bank system, and the United States and Germany only are without it, and, as was explained yesterday by the Senator from Montana, if I recollect aright, Germany, under her system, meets practically the same needs that this system is intended to meet.

Mr. HEYBURN. Mr. President—

The VICE-PRESIDENT. Does the Senator from Nebraska yield to the Senator from Idaho?

Mr. BURKETT. I do.

Mr. HEYBURN. I take it that the Senator will not object to a question intended to develop the idea which he has just presented in his remarks. Is there any country in the world where the government hires money for the purpose of rehiring it out?

Mr. BURKETT. There is not, Mr. President.

Mr. HEYBURN. Where it takes in money under a contract to pay for the use of it in order that it may loan it at interest to some person?

Mr. BURKETT. I understand, Mr. President, that is an objection that may be raised. Now, if the Congress does not want to dispose of this money in the way provided by the bill, let somebody suggest a better way to dispose of it. Other countries carry their floating indebtedness with the people's money. Their indebtedness represents not only what our federal indebtedness represents, but also what our state indebtedness represents. I imagine that it is not a violation of the proprieties in the matter for us to take up the state bonds and, in addition, whatever national bonds we may want to take up, with this deposit of the people, to carry state indebtedness; and instead of the States in the future paying 4 and 5 per cent interest for their money they might use the people's money, if we chose to take up the state bonds and the state indebtedness, instead of loaning this to the banks at 2½ per cent; and the people would then furnish the money for the state indebtedness, just as the people in foreign countries are furnishing it for their national indebtedness.

Mr. HEYBURN. Mr. President—

The VICE-PRESIDENT. Does the Senator from Nebraska yield further to the Senator from Idaho?

Mr. BURKETT. I do.

Mr. HEYBURN. I will ask the Senator whether or not, in his judgment, it is the function of the Government at all to borrow the money of the people and loan it to the States or municipal corporations? I should like to say, in connection with that, that I do not make the suggestion as one opposed to legislation upon this subject, but merely for the purpose of testing the measure under consideration.

Mr. BURKETT. Well, Mr. President, some States—not every State, but some States—are to-day raising money by taxes and loaning it to other States in this Union without any specific provision in their constitutions one way or the other on that point, and they are doing that in the State where I live. The State in which I live has money loaned to half a dozen of the other States of this Union to-day that has been collected from the people of our State. Now, sir, if it is a proper governmental function to receive the people's deposits and use them to carry the national debt in 26 other nations of this world, it is not going any further in this country, organized, as we are, with a dual system, to use the money of the people deposited in postal savings banks to carry the indebtedness of the several States of this Union.

Mr. HOPKINS. Mr. President—

The VICE-PRESIDENT. Does the Senator from Nebraska yield to the Senator from Illinois?

Mr. BURKETT. I do.

Mr. HOPKINS. The statement the Senator from Nebraska has just made strikes me as a little remarkable—that is, that the State of Nebraska collects money by taxation from the citizens of that State for the purpose of loaning it out to the people of other States or to other States. I want to ask the Senator on that point for information—

Mr. BURKETT. Did the Senator understand me to say that?

Mr. HOPKINS. That is the way I understood the Senator.

Mr. BURKETT. Then I will withdraw that. The State of Nebraska does not tax the people for the purpose of loaning the money to other States.

Mr. HOPKINS. What is the character of the loan, I would ask?

Mr. BURKETT. We buy the bonds of other States with the money in our treasury—

Mr. HOPKINS. Oh, yes.

Mr. BURKETT. With our surplus in the treasury that is put there for school purposes.

Mr. HOPKINS. Then the assessment and collection of money is not for the purpose of making these loans?

Mr. BURKETT. Certainly not.

Mr. HOPKINS. Where you have money in the state treasury, in order to keep that money active and increasing in value you buy the bonds of other States?

Mr. BURKETT. Yes. The object is to keep our schools going. The object of this bill is to furnish a safe depository for the people and to do something with the money. I simply stated that it was no further a stretch of governmental function or governmental power to loan that money to the Federal Government or to the States to carry their bonds than it was for one State with the money that it collected from the taxation of its people to loan it to another State. But I did not intend to say that Nebraska assessed her people for the sake of loaning money to the people of other States. That was not my intention.

Mr. FLINT. Mr. President—

The VICE-PRESIDENT. Does the Senator from Nebraska yield to the Senator from California?

Mr. BURKETT. I do.

Mr. FLINT. I will simply state that to-day the Government is collecting money by taxation, depositing it in banks, and receiving interest for it just as is provided for under this bill.

Mr. HEYBURN. Mr. President, with the permission of the Senator from Nebraska—

The VICE-PRESIDENT. Does the Senator from Nebraska yield to the Senator from Idaho?

Mr. BURKETT. I do.

Mr. HEYBURN. Is there now, or has there been, any instance where the Government borrowed money and loaned it out at interest?

Mr. FLINT. If the Senator from Nebraska will permit me—

The VICE-PRESIDENT. Does the Senator from Nebraska yield to the Senator from California?

Mr. BURKETT. Yes; certainly.

Mr. FLINT. The Government, as a matter of fact, as the Senator well knows, has not borrowed money to loan it out, but has collected money by taxation that is now in the Treasury and deposited in national banks, and receives interest for that money, just as provided by this bill.

Mr. HEYBURN. But it pays no interest on the money for its use. The money came through the ordinary channels of revenue. What I was seeking to have illustrated by the remarks of the Senator from Nebraska was the manner of handling this money after it had been borrowed under a contract to pay interest to the people. That is rather an embarrassing question in the consideration of the bill now before the Senate, because, in answer to my first inquiry, the Senator admitted that no country in the world had undertaken to do such a thing. I had not brought it down to our own country, but because of the remarks of the Senator from California I was enabled to ask a question, which I deemed pertinent, as to whether this country had ever borrowed money under a contract to pay for its use and then loaned it out under a contract to receive interest.

Mr. BURKETT. Does the Senator put that to me as a question, or was his statement in reply to the Senator from California [Mr. FLINT]?

Mr. HEYBURN. The Senator from Nebraska may answer it or not, but the Senator from California did answer it. He admitted that within his knowledge the Government had not done so. The question, of course, is submitted to the Senator from Nebraska for the consideration that he sees fit to give it.

Mr. BURKETT. I know of no occasion when the Government has borrowed money for the purpose of loaning it out to somebody else. It may have loaned some money that it had borrowed for other purposes, but I do not know of any such case.

Mr. HEYBURN. Mr. President, if the Senator will permit me, I will ask whether or not there is any provision in this bill, as he reads it and interprets it, that would suggest that the Government receive this money for any other purpose than for the purpose of reloaning it? Is there any provision in this bill that contemplates that the Government may for its own purposes use a cent of the money received from depositors in proposed postal savings banks?

Mr. BURKETT. I think there is in this bill a section that provides for the Postmaster-General buying bonds and taking up part of the national indebtedness, if he chooses to do so, but there was in a bill which I introduced—

Mr. HEYBURN. That is an alternative proposition.

Mr. BURKETT. Yes.

Mr. CARTER. Mr. President—

The VICE-PRESIDENT. Does the Senator from Nebraska yield to the Senator from Montana?

Mr. BURKETT. Certainly.

Mr. CARTER. Mr. President, the bill as reported does not contain the provision to which the Senator from Nebraska refers. The investment in securities of the United States is not contemplated. The funds are to be deposited, as the Senator has just stated, in the neighborhood where received, in the national banks. The provision referred to by the Senator from Nebraska is, as aptly suggested, a mere alternative proposition. In the event of the banks refusing to accept the deposits at the rate of interest provided by law, the Postmaster-General, upon the advice of the Secretary of the Treasury and the Attorney-General, may invest not in United States bonds, but in the bonds of States, municipalities, counties, and so forth.

Mr. HEYBURN. Loan money to States and municipalities?

Mr. CARTER. I doubt if that is the loaning of money in the sense which the Senator puts the statement. It is the buying of securities in the open market for temporary investment in order to obtain interest equivalent to that paid the depositor, plus the cost of administration. The bonds would be disposed of in order to get the money with which to pay the depositor, and would be a temporary investment.

Mr. BURKETT. Mr. President, there was in the bill which I introduced a provision authorizing the Postmaster-General, if the banks failed to take these deposits, to buy national, state, and municipal bonds; but I will say to the Senator that there never was any supposition from the beginning that there was any field of investment of sufficient extent to be worthy of the consideration of national bonds.

Mr. CARTER. I will suggest that the committee, in considering the advisability of authorizing the investment in United States bonds, met with a proposition that had been early urged, to the effect that the postal savings system would tend to cripple the banking institutions of the country. It never was the intention to so frame a bill as to do aught else than provide facilities to enable the people to save small sums. The widely extended arm of the Postal Service seemed to furnish the machinery to accomplish this purpose. If United States bonds should become the investment for the funds, it can readily be perceived that all the bonds needed for the basis of circulation of national banks might soon become absorbed as investments for the Post-Office Department funds, and thus, by indirection, the national banking currency would be practically retired. We avoided any provision looking to investment in United States bonds for the reasons stated.

Then, of course, another reason, obvious on the face of the market quotations, is that the amount of interest drawn by United States bonds, considering the premiums paid, would not suffice to pay the rate of interest which we allow to the depositor.

Mr. BURKETT. Mr. President, I shall get back to the Senator's original question, as to whether or not any other country has done this thing. I will say that his question was properly put, because I had referred to the fact and enumerated the other nations that have this system of postal savings banks. But, Mr. President, when I recited the number of nations that have postal savings systems in operation, I did not want to be understood as basing the advisability of our action upon the apparent success alone of similar experiments in other countries. My ten years of public service and somewhat of study, I will say to the Senator, of comparative conditions in this and other lands has made me fully to appreciate that things which are traditional in some countries would be revolutionary here. Because England or Switzerland or New Zealand has done some things with apparent success and with beneficial results I realize full well is no absolute certainty that we can do them here with equal success or even with equal propriety. I am mindful of the great extent of our territory, of the unequal distribution of our population and wealth, and of the great diversity of our industries. Neither am I unmindful, I will say, of the consideration that we owe to private enterprise and private capital which, responding to American ideals and American institutions and traditions, is already invested along similar lines.

I realize, too—and some Senators have called attention to the fact—that this legislation is not of the same importance to some sections of the country that it is to other sections of the country. I am also fully cognizant of the hesitancy of the American people of all parties and all creeds to enter the Government as a competitor with its individuals in industrial and commercial pursuits; in fact, I am one of those persons who believe that the less the Government does directly in trade and commerce the better it is for our development, both as individuals and as a nation. Theoretically the doctrine of the

old school of statesmen was correct, "that nothing should be done by the General Government that the local governments could do, and nothing by any government that individuals could do for themselves."

But, practically speaking, we have long since outlived that doctrine, and at most we have only adhered to it in each instance within the limitations of a very loose interpretation of governmental functions after the interpolation of the words "as well." And a reasonably strict constructionist of governmental function and governmental prerogative to-day finds himself restricting the Government from doing those things only that state governments can do "as well" and eliminating all governments only when individuals can do them "as well." And between that strict constructionist's "as well" and the most liberal constructionist's extreme interpretation that all things are proper governmental functions unless individuals can do them better, the shuttlecock of legislation has traveled for 10 these hundred years.

So, whatever misgivings other Senators may have as to the propriety of this legislation, I have brushed them all aside with a consciousness of public duty; and whatever objections there may be as to expediency is overcome, it seems to me, by the facts of necessity that present themselves.

Mr. HEYBURN. If it will not embarrass the Senator from Nebraska—

Mr. BURKETT. It does not embarrass me. I was going to explain what I meant.

Mr. HEYBURN. It was to what the Senator had said that I desired to direct my remarks and to make a suggestion. What objection is there to receiving this money by the Government without the Government assuming any obligation to pay interest. If the purpose is to promote frugality and business thrift, why would it not be better promoted by making as slight as possible the inducement to allow these deposits to remain with the Government, the Government receiving the money at the post-offices under no contract to pay interest, and letting the money go back into the hands of the individual as soon as the individual can find use for it? What necessity is there in the spirit of this legislation that the Government should contract to pay interest on the money?

Mr. BURKETT. That is a matter of detail. Congress can pay 2 or 2½ per cent, or whatever rate it pleases, or nothing at all. I think we ought to pay about 2 or 2½ per cent. I would not quarrel if it was 1 per cent. I would not vote against the bill if the Government decided to pay no interest.

Mr. HEYBURN. Why should the Government, under any circumstances, borrow money for somebody else and pay interest on it?

Mr. BURKETT. I will say we are not borrowing money. That is not the object of the bill.

Mr. HEYBURN. It is the result.

Mr. BURKETT. It is to help the frugal, industrious man, the man who has insufficient means to undertake a business proposition.

To-day from one end of the country to the other there is an agitation for safer banking. The deposits are unsteady and the loans are uncertain. We know it. The banker is nervous, and the borrower is without that assurance that makes for a stable business. When discounts are most needed, then the deposits are most liable to be reduced. When the banker least wishes to see his depositors, they loom up before the paying teller in greatest numbers.

Mr. BORAH. Mr. President—

The VICE-PRESIDENT. Does the Senator from Nebraska yield to the Senator from Idaho?

Mr. BURKETT. Certainly.

Mr. BORAH. I should like to ask the Senator from Nebraska a question. It is proposed that the Government shall accept this money from the citizen and pay him 2 per cent, and turn about and loan it to the banks at 2½ per cent. What is the difference in principle between that and the guaranty of bank deposits of which we heard a good deal in the last campaign?

Mr. BURKETT. I will get to the guaranty of bank deposits in about two minutes, if the Senator will wait that long. I will say that the speech which some Senators like to quote to us in favor of this proposition comes from a man who advocated the guaranty of bank deposits a year or so ago.

Mr. BORAH rose.

Mr. BURKETT. I will not insinuate that all Senators who are questioning me here to-day advocate the guaranty of bank deposits.

Mr. BORAH. I am very frank to say that I have advocated the guaranty of bank deposits, and I am very glad that a majority of those who have opposed it are now coming around to that view, as presented in the proposition in this bill.

Mr. BURKETT. When the Senator interrupted, he asked me to make a later part of my speech first. I want to try to make it as I have it outlined on this paper, if I can. I have my topics arranged, and I should like to present them in the order in which I have them if the Senator does not seriously object, and if he will wait until I can get to that point I shall state my views upon it.

I have heard it said that it was the ignorance of bank depositors representing small deposits which has precipitated most of the bank runs. Perhaps every Senator has heard that statement. But I have thought, as I have heard it stated, that if they are ignorant, it is, perhaps, because their interests are so small in comparison with the great institutions with which they are dealing that it is never given them to know the real condition of the institution, and if they are nervous it is because their deposit, though small, is their all. It represents their toil and their sacrifice and their industry and their frugality. It means for them fuel for the coming winter, medicine when sick, and necessities of life when temporarily out of employment.

It is for that class of people, let me say, that this legislation is intended. Yea, it is for the many more who might be in their class if they were only provided with better opportunities and better inducements to practice frugality. It is this class of people—who can not know about the bank's assets and who could not judge of them if they did—that make the enormous crowds and clamor loudest at the bank run. They start the whirlpool into which has gone to destruction many a bank that otherwise might have withstood the storm and stress of the times. Upon them demagogues flourish and into their ears the money quack pours most successfully his vicious nostrums for all banking and currency troubles. They are easy picking, because unlearned in the science they are more sensitive of their risk.

If this legislation has no other merit, it would at least relieve the commercial banks from the dangers of their nervousness.

Mr. BORAH. Do I understand the Senator from Nebraska to say that the greater nervousness is upon the part of the small depositors, rather than the large depositors?

Mr. BURKETT. I do not know what the Senator understood me to say. I undertook to quote the statements of a banker, that most bank runs have been precipitated by the nervousness of the smaller depositors.

Mr. BORAH. I should like to see proof in support of that statement. I do not believe it is true. So far as the large runs have been concerned, they have been started by the class of men that you speak of as the educated business men. The small depositor has only become excited after the start has been made by those who have large deposits.

Mr. BURKETT. I will not leave it that way, because it would not be fair to them nor true to fact, I will say to the Senator, to leave the impression that they are all who are clamoring for safer banking. Business men everywhere want safer banking. The bankers themselves want safer banking. They call it steadier banking, or more elastic banking perhaps, but from one end of the country to the other they are clamoring for a change in our banking and currency system to-day. The remedies which have been suggested have varied all the way from government guaranty of all deposits of the man who deposits only to the central bank of issue of the man who only uses money.

Mr. CARTER. I am aware of the desire of the Senator from Idaho to be exact at all times, and therefore I rise to request him to ascertain, on reflection, whether he would not like to change the statement he has just made. The question is somewhat academic and speculative, I understand.

The discussion was proceeding with a view to determining, if possible, the cause of runs or panics in connection with banks. The Senator from Idaho suggested that the runs were generally started by large depositors. I rather think he meant to say the runs were started by the failure to pay sums of money due. It is the failure of the individual who has an obligation to find the deposit to meet it. Runs, of course, are precipitated, not by large deposits, but by failure on the part of the institution in which deposits are made to meet demands upon it.

Mr. BORAH. I am under great obligation to the Senator from Montana for suggesting a more precise use of language, but I do not care to change the fact. I maintain still that it was the steadiness and the stability of judgment of the small depositors in this country which saved the financial panic of 1907 from becoming much larger than it was. It was the disturbance created by the large depositors which started the panic, and it was the patriotism, as you may say, of the small depositors in leaving their money there still that helped to stop the run.

I am aware of the fact that the real crisis is reached at the time when payment can not be made; but the start of the run is before the payment is asked for, because they do not refuse to pay until somebody appears there and asks for payment; and when they refuse to pay, then the crisis begins. But the run has begun before that.

Mr. CARTER. Mr. President, the panic of 1907 was quite unique. It was essentially a bankers' panic. It originated in the midst of the greatest financial career of the Western Hemisphere, and it was regarded throughout as a bankers' panic. Its fear and apprehensions never reached the remote sections of the country or the average depositor. It is unhappily true that all the money of the country—for the time being deposited in the depositories of great financial centers—was suddenly impounded, payments refused, the national banking law disregarded, and a situation existed which might well have brought calamity to the entire country. But, as the Senator well says, the panic was not of the disastrous kind so far as the body of the people was concerned, because it did not start with them. The most disastrous panic is that which originates in the steady, continuous withdrawal of money by the small depositor of the country, where the fever is widespread or universal.

Mr. BORAH. I agree with the Senator. It was a bankers' panic. That is the only kind we have during a Republican administration. But I want to say further that the panic was not precipitated by the people, and it stopped only when it got to them.

Mr. BURKETT. Whoever may have been responsible for that panic, whether it was the small depositor or the large depositor, we all agree as a result that from it there has been a flood of proposed legislation presented to Congress. I think I would not be overstating the fact if I said that within the last two years there have been more than twenty separate and distinct propositions for new banking systems in the United States presented, and, in addition to that, there are blends and combinations too numerous to mention. In my opinion most of them will fail to completely satisfy, because they entirely eliminate the great classes of depositors that this bill is intended to provide for. These depositors are not worrying about distributing money, but about saving it. The controlling thought of most of these proposed banking systems is the purposes of business.

The idea that dominates in them is to provide money in abundance when needed and to reduce it when not needed, so that it will answer the call of the West when the golden grain of the autumn time is ready for market, as well as the alluring song of the East when interest rates go up. That is the call of commerce, and is commercial banking; but I submit that it entirely overlooks the struggling toiler of hand and head, the frugal, industrious, and self-sacrificing depositor, whose only anxiety is that the dollar he saves is safe and that what he deposits shall be returned unto him even in the days of iniquity, when the shadows of adversity encompass him about. That is the great proposition.

On the other hand, the guaranty of bank deposits will not meet this proposition entirely as I see it, for the reason that it fails to recognize any difference among depositors.

The guaranty of bank deposits plan puts side by side the man who deposits money and the man who deposits his promissory note; the man who deposits for safety and the man who deposits for commercial purposes, impressed with all the risk and assured of all the profits that come from it. So I insist that as legislators we must recognize a difference between the savings account of "Willing Worker" and "Industrious Frugality" and the commercial account of the drivers of industry whose deposits are limited only by their credit and whose business relation with their bank forms only a part of the great speculation of life in which they are engaged.

If I have made my point clear as to the distinction between the two deposits, then I insist that the governmental function is different as between the savings depositor and the commercial depositor. A savings bank is not for the purpose of helping men to make money, but to encourage them to save it, and safety is the sine qua non. The commercial bank is for the purposes of trade, and must respond quickly to business needs and can not be hedged about by the slow and rigid rules of absolute certainty.

In its use there is possibility and risk, and the man who deals with it must do it always in the knowledge that he does it for his own aggrandizement and therefore at his own peril. The very nature of a savings bank makes it a legitimate field for governmental interference. It is a helping hand for the man without means, unacquainted with the business, profligate, and timorous, until he has acquired a sufficient sum to make an investment. His deposit is small, but the total possessions of the depositor. It is small in amount, but represents real toil and

sacrifices. Its loss means more to him than the larger amount of the larger depositor. Its loss means to him financial ruin, mental anguish, perpetual discouragement, everlasting poverty, and public charity in declining years.

The great struggle of the ages has been to stimulate thrift among men. Nations have been strongest as their people have been thrifty. A government can afford always to stretch a little its effort to help the people to become self-sustaining, for that is far better than that they should be publicly sustained. To my mind, no nobler object ever appealed to any nation for consideration, and no more appropriate function of government ever called for legislation.

The whole world, as has been stated repeatedly, has responded, and the generations of men and the annals of nations testify to its wisdom. The question is, Shall we in America delay longer? Shall we in this proud Republic, where liberty reigns and where the people "do rule," longer deny to ourselves this great beneficence to men vouchsafed to the peoples of every other land?

I understand the objections to this bill, and they are not unlike those made in every country where legislation of this kind has been contemplated and where they have all been answered. I understand the fear that the banker may have of the competition that the postal savings system may make for him. In my opinion, those fears are not well grounded. It will do in America, as it has in every other country—very largely take care of itself. It will build up its own clientele and, from entirely new sources, make up its own depositors. I do not mean to say that some money will not be diverted from its present channels, but history shows that the percentage is very small, and what may be diverted is more than made up by additional depositors, for the habit of deposit will be inculcated by the postal savings system, and this will add unto the commercial bank depositors.

I have here two or three brief extracts which I want to read. I will not go into the subject extensively. I had intended to call attention to them a little sooner, but I have been diverted from the line of the argument somewhat that I had intended to make to-day.

The Postmaster-General, in 1892—and he has done it once or twice before and since, I think—asked the postmasters-general of other countries the result of the postal savings-bank system, and these are the statements of those postmasters-general. I find those statements in the report which the Senator from Montana [Mr. CARTER] has made in support of this bill. There are reports from Sweden and Hungary and Italy and Belgium and the Netherlands and Austria and France, and perhaps some other countries. The question our Postmaster-General asked was, "Has the postal savings bank of your country, in its beginning or since, met with any opposition from private savings banks?"

Sweden says:

As far as known, no opposition has been manifested at any time.

The Hungarian postmaster-general says:

The private savings banks can never see a competitor in the postal savings banks, because their organization is different and because they serve a different class of people. The postal savings banks have not exercised any injurious influence on the development of private savings banks, which is shown by the circumstance that since the establishment of postal savings banks the deposits in the private savings banks have not decreased, but increased very considerably, as has also the number of private savings banks.

In Italy the postmaster-general replied:

There has never been any serious opposition to the establishment of the postal savings bank. In the beginning some apprehension was felt that the postal savings bank might injure the private institution of similar character, but this apprehension soon vanished, as it soon became apparent that each of the two kinds of institutions had its own circle of customers and did not interfere with each other. At present there are not a few localities where postal savings banks are in operation and flourish side by side with private savings banks.

Other countries report the same. The French report says:

The postal savings bank and the private savings banks do not exactly serve the same class of customers. The first mentioned offers especial advantages to economical persons who move about a good deal and who therefore appreciate the facility of making a deposit in one post-office and drawing it in some other office; the second, by reason of the higher rate of interest paid by them, are more advantageous to persons who always reside in one and the same place where they make their deposits and draw their money.

I shall not take time to read more of them, but what I do want to call attention to is a little book which I brought with me—Lewins's History of Savings Banks. At page 318, in discussing the question whether postal savings banks interfere with commercial banks, he says:

It is a somewhat remarkable fact that—

I will say this little book was written five years after the postal savings bank system went into operation in England, and he writes of the result in England—

It is a somewhat remarkable fact that of the total amount which had up to the end of last year been deposited in post-office banks not

much more than a million and a half \* \* \* had been withdrawn from the old savings banks.

From these facts it seems quite clear that the business acquired by the post-office banks, at any rate up to this time, is almost entirely newly created business, and that the older savings banks have only been interfered with to a trifling extent. \* \* \* Other sums might undoubtedly have been placed with the older institutions, had there been no competition; but by far the greatest proportion is plainly derived from sources hitherto unreached, and consists of money which no amount of persuasion could divert from the hundred forms of indulgence to the older channels of economic hoarding.

Further along he says:

The post-office banks, further, seem not only to have attracted a public of their own, but to have created, as it were, a fresh race of provident people.

In my opinion the experience there would be repeated here, and from the cellars and the garrets, from the old stockings and chimney corners, from hollow logs and the cold, damp earth, from everywhere would come flowing into the channels of trade and commerce the hidden and hoarded money of the realm. I have the information here that 49 per cent of the circulating medium can not be accounted for to-day or at any particular time. Commerce is deprived of its use, because there has as yet been provided no means to attract it from its hiding place. It is hidden by those who fear and distrust their fellow-citizens in the private institutions, and is carried in the pockets of others for whom we have provided no adequate facilities for putting it back into circulation other than as it is expended.

Mr. President, it will not answer the demand nor meet the situation for us to glorify our present banking system. They did even that much in England fifty years ago. I received a letter yesterday from a constituent of mine, a very important man in my State, a very strong banker. He writes a very good letter. He said to me that in his opinion Congress ought to leave this matter to the judgment of the bankers, whose years of experience in financial matters made them more competent to judge of what legislation ought to be along this line. But it will not do to take the opinion of bankers, because their judgments have been overturned in every land. As I said in the beginning, if we had allowed our legislation to go until the men who are most particularly interested in it said so, we would never have had a meat-inspection bill, or a railroad regulation bill, or a child-labor bill for the District of Columbia, nor any of the magnificent legislation that we have had in this country in the last few years.

I am not one of those given to a wholesale and indiscriminate criticism of our present banking system, for my experience in the ordinary affairs of life is that that is one of the surest signs of a man's own incompetency, and woe to a man's reputation among his fellows who can see no good in the men and measures with which he comes in contact. I say frankly, after listening to the discussion of financial experts in Congress for ten years, I have about come to the conclusion that we have probably outlived our present financial system. But with my restricted vision and qualifying better as a historian than as a financial expert, I am bound to say that I find more specific things to applaud our banking system for than to criticize it for.

I recall the dark days of the Republic in which it was established, and the proud eminence of financial achievement into which it has brought us. I recall the stability with which it has sailed the tempestuous seas of industrial panic, and the dogged resistance it has maintained against the visionary and fanciful fads and hobbies that have assailed it from every quarter. I recall, as no small tribute to its success, that it is more responsive to industry and commerce, to progress and development, than any other banking system upon the face of the earth.

It is the realization of the fondest dream for the uses of trade; and I undertake to say that American ingenuity does not appear to better advantage anywhere than in comparing our banking facilities with those of other lands. Nowhere has a greater amount of business been done with less machinery, nowhere with greater convenience and greater dispatch. The American banker well deserves a large share of the credit for our industrial and commercial advance. But I am bound to say that with all his demonstrated ingenuity for distributing money he has not been successful in rendezvousing money. He has gathered together the large sums of a few depositors; he has put them to the very best practical use; but he has failed to reach the enormous amounts of the millions of Americans and put them to proper use.

The public function of a bank is to collect together the funds of the people who do not have any present use for them and put them into the hands of people who do have present use for them.

A system is successful only in the measure that it accomplishes what it is intended to do. If this system of ours does not reach all of the people, it is not wholly successful. If it

does not reach all of the money, it is not wholly successful. If it is economical to gather together a part of the idle money for the uses of others, then certainly it would be more economical to gather together the largest amount possible.

Great Britain, with 45,000,000 people, has 11,000,000 bank depositors. America, with over 90,000,000 people, has less than 9,000,000 bank depositors. In Sweden 40 per cent of their people are bank depositors. In America less than 10 per cent of our people are bank depositors. No one contends that our people are less prosperous than the people of England and Sweden. No one doubts that the average American has more money about him than the average individual in any country in the world.

The trouble with us is that we have reached 10 per cent of our people, with an average deposit of \$423, while Sweden has reached 40 per cent of her people, with an average deposit of \$30.

So, without any reflections upon the banking system as it is and for what it was intended, I am only insisting that there is a limit beyond which it will not go, and that the experience of other nations teaches us that the postal savings banks are both stimulating to individuals and economical to the public.

Now, we have had a speech here, laid on the table of every Senator, stating that all the commercial banks of the country practically received savings-bank deposits. Yet we know that commercial banks do not invite small deposits—a dollar deposit, a 10-cent deposit. They do not want anything to do with such small deposits. In most places in this country there is a minimum limit of acceptable bank deposits. In three-fourths of the country there are no savings banks. One-fourth of the States of the Union have over 90 per cent of such institutions. In large sections of the country there is not enough reward offered to warrant private capital in investing in savings institutions.

In those portions of the country the man working for wages is driven to carrying his savings from month to month until he spends it or until he has acquired and saved up a sufficient amount to make him bold enough to lean against a commercial bank counter to make a deposit.

All that is a handicap to the commerce of this country. It is at the expense of our machinery of trade and commerce and helps to diminish our circulating medium. But, most unfortunate of all, when crises come and panics shake the confidence of men, when more money is needed more money is hoarded. So I say the emergency of our times demands the enactment of this legislation. It will put more money into circulation; steady deposits reassure borrowers, relieve nervous bankers; and it will turn thousands of profligate spendthrifts into frugal and self-sustaining citizens.

I have talked longer to-day than I intended when I started. I did not intend to-day to go into any of the details of this bill, although necessarily I have been called into a discussion of some of them. When the bill comes up for final action—and I hoped that it might be before the holidays—some of these sections will deserve and ought to have some further consideration.

I will say that I introduced a bill which, in my opinion, is better than the one reported, in some particulars. But I am not going to quarrel about the merits of the bill to-day. It will be voted upon when the question comes up. This bill that we have before us does provide, as a general proposition, for the things that it seems to me a savings-bank system ought to do. It provides for a government savings depository for small deposits. The rate of interest is small, as it ought to be, for otherwise it would attract all the money. The amount of deposits is limited. Possibly it ought to be smaller. If the amount is too large, the man with enormous sums could deposit them, even with small interest, and without any effort on his part be sustained by the Government. It provides that the deposits shall be redeposited in the nearest national depository to where they are collected, so as to preserve to each locality its own money. It also confines it to the post-offices of a presidential grade, and thus relieves the Postmaster-General of the necessity of placing them where they would not be needed or where there is no possibility of compensation equaling the expense.

Before I sit down I wish to call the attention of Senators to this magnificent report that the Senator from Montana [Mr. CARTER] has made, because it covers the twenty years of work that has been done on this legislation in this country and the fifty years of practical experience in other countries. The Senator from Montana deserves great credit for it. It is one of the most complete reports that has ever been made on this subject. He has shown his industry by going back through the last twenty years of investigation of this subject in this country, and he has collected the wisdom and the work of all the Post-

masters-General and of former Senate and House committees that have reported on this question.

As I said in the beginning, I understand there is a disposition here to prevent this legislation from coming to a vote. I had hoped there would be more of those Senators present who oppose it that I might urge them not to take advantage of our rules or lack of rules to defeat this legislation. I understand that with our rules or lack of rules a few Senators can prevent a majority from doing business. But, I submit, the success of these rules and their longevity may be diminished by continued and repeated abuse. Freedom of debate in the Senate is traditional now, and if honestly and legitimately used is the greatest possible boon to good legislation, but if that freedom shall be abused, even unto the defeat of legislation, it then becomes a positive evil, and one that in time will be corrected.

I hope there will not be a determination to delay for the purpose of defeating this bill. If the older Senators, those I had expected to oppose it, had been here, I intended to urge upon them not to use the very prerogatives that mean so much for them in the seats of honor and power that they so splendidly grace in defeating this legislation. Every Senator ought to vote against the bill, if it is wrong, and if a majority of the Senate votes the bill down I have such an abiding faith in the wisdom and honesty of the Senate that I shall bow very respectfully to the superior wisdom of the Senate. But if we are to be deprived of the opportunity to vote upon it by stealth or strategy or legerdemain, then I shall bend to the adroitness of man.

#### GOVERNMENT OF THE DISTRICT OF COLUMBIA.

The VICE-PRESIDENT laid before the Senate the following message from the President of the United States, which was read and, with the accompanying papers, referred to the Committee on the District of Columbia and ordered to be printed:

#### *To the Senate and House of Representatives:*

The rapid increase of population in the National Capital within recent years has greatly altered social conditions, necessitating changes in the machinery of its administration. Greater efficiency and a better provision for the protection of both the industrial and dependent classes are required.

Recognizing these needs, I have had a special report made to me on the affairs of the District of Columbia which I transmit herewith. I cordially approve the recommendations in the report for: the substitution of a single head or Governor in place of three Commissioners; the establishment of District or Municipal Departments in place of the existing Bureaus; and the creation of a new department to be known as that of Housing and Labor. I ask your careful consideration of the entire report; Mr. Reynolds has rendered a great and disinterested service for which our heartiest thanks are due him.

A single executive head would increase efficiency, determine responsibility and eliminate delays and uncertainties inevitable under the present system; Municipal Departments headed by Commissioners to be appointed by the Governor would yield the same advantage.

In the proposed scheme of reorganization, the Department of Education should be coordinated with other City Departments.

I especially urge that the proposed Department of Housing and Labor be established. Poverty, disease and crime are largely due to defects of social conditions and surroundings. The need of improved sanitary inspection of dwellings, rear alleys and small shacks (such as unhappily still exist in Washington) and of stores, work shops and factories should not be left to subordinate Bureau Chiefs, but should be brought under the direct control of a competent head of the above named Department.

An equally important public responsibility is the protection of the independent industrial class which neither desires nor accepts charity, but whose members have often been led to misfortune and even crime through agencies licensed by the state, but defectively and inadequately supervised. Notable among these are pawn-shops, loan and industrial insurance companies and employment agencies. The supervision of these agencies is at present limited to the police. They should be under the direction of officials qualified to advance their efficiency and economic service to the public.

The above named changes would vastly improve the efficiency of the District Government, and would afford protection to its industrial and dependent classes which is imperatively needed.

I also transmit for the consideration of the Congress reports of the Committee on Building of Model Houses which was appointed in accordance with the recommendation of Mr. Reynolds.

THEODORE ROOSEVELT,

THE WHITE HOUSE, December 17, 1908.

## MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. C. R. McKinney, its enrolling clerk, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (S. 5083) to amend section 1 of the passenger act of 1882.

## ACCOMMODATIONS FOR STEERAGE PASSENGERS.

Mr. LODGE submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (S. 5083) entitled "An act to amend section one of the passenger act of eighteen hundred and eighty-two," having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its amendments numbered two, thirteen, and fourteen.

That the Senate recede from its disagreement to the amendments of the House numbered one, three, four, five, ten, and eleven, and agree to the same.

That the Senate recede from its disagreement to the amendment of the House numbered six, and agree to the same with an amendment as follows: Page 4, line 3, after "thereof," insert the following: "subject to the allowance for measurement of public rooms, lavatories, and bathrooms, if any, provided for by paragraph ten;" and the House agree to the same.

That the Senate recede from its disagreement to the amendment of the House numbered 7, and agree to the same with an amendment as follows: Page 4, line 7, after the word "use," insert the following: "subject to the allowance for measurement of public rooms, lavatories, and bathrooms, if any, provided for by paragraph 10;" and the House agree to the same.

That the Senate recede from its disagreement to the amendment of the House numbered 8, and agree to the same with an amendment as follows: Page 4, line 12, insert after "thereof" the following: "subject to the allowance for measurement of public rooms, lavatories, and bathrooms, if any, provided for by paragraph 10;" and the House agree to the same.

That the Senate recede from its disagreement to the amendment of the House numbered 9, and agree to the same with an amendment as follows: Page 5, line 2, after "included" insert "and also, on whatever deck located" and strike out therefrom the following: "shall be provided for the exclusive use of steerage passengers, and the space so occupied shall also be included;" and the House agree to the same.

That the Senate recede from its disagreement to the amendment of the House numbered 12, and agree to the same with an amendment as follows: Strike out the word "apartments" and insert in lieu thereof the word "compartment;" and the House agree to the same.

W. P. DILLINGHAM,  
H. C. LODGE,  
A. J. McLAURIN,

*Managers on the part of the Senate.*

BENJ. F. HOWELL,  
WILLIAM S. BENNET,  
JOHN L. BURNETT,

*Managers on the part of the House.*

The report was agreed to.

## POSTAL SAVINGS BANKS.

The VICE-PRESIDENT. The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which will be stated.

The SECRETARY. A bill (S. 6484) to establish postal savings banks for depositing savings at interest, with the security of the Government for repayment thereof, and for other purposes.

## INLAND WATERWAYS COMMISSION.

Mr. NEWLANDS. Mr. President, I ask unanimous consent for the consideration of the bill (H. R. 21899) providing for the appointment of an inland waterways commission, with the view to the improvement and development of the inland waterways of the United States.

The VICE-PRESIDENT. Is there objection to the request of the Senator from Nevada?

Mr. ALDRICH. That is an important bill, and I suggest to the Senator from Nevada that it ought not to be taken up when manifestly there is no quorum of the Senate present. I suggest to the Senator not to make that request now. I shall feel obliged to object to it if it is made, with manifestly no quorum of the Senate present.

Mr. NEWLANDS. Of course I will have to yield to the suggestion of the Senator from Rhode Island if he pushes it, but I apprehend that the Senator is under the impression that the bill which I have asked to bring up for consideration is the one that was originally introduced providing a comprehensive plan for the development of our waterways through the action of a commission, which was authorized to coordinate the various services of the Government through an active cooperation which would take in municipalities. This bill is a short substitute for that bill, giving the President power to appoint a commission, not exceeding nine, simply for the purposes of investigation, and giving the commission a small appropriation of \$20,000.

I wish to say that there was no river and harbor bill at the last session, and there probably will not be one at the present session. Pretty nearly two years ago the President appointed a commission to inquire into these matters simply under his power of recommendation. This is intended to make a statutory commission in the place of the voluntary commission which has thus far acted.

Mr. CULLOM. Mr. President—

Mr. NEWLANDS. I will ask the Senator from Rhode Island whether, in view of that statement, he still objects to the present consideration of the bill?

Mr. ALDRICH. I must confess that I have no clear idea about the present position of this question. We have had so many conventions and so many commissions that I am not sure whether Congress has any jurisdiction or power over any of these questions.

Mr. NEWLANDS. In view of the objection of the Senator from Rhode Island, I would therefore suggest as a substitute, that it be agreed by unanimous consent that the bill (H. R. 21899) providing for the appointment of an inland waterways commission with the view to the improvement and development of the inland waterways of the United States be taken up for consideration on Wednesday, January 20, immediately after the conclusion of the routine morning business, such consideration to be continued until the bill is disposed of.

Mr. BURKETT. Mr. President, I submit that the Senator from Rhode Island called attention to the fact that obviously there is no quorum present, and it seems to me that it would not be proper to do any business one way or the other until the presence of a quorum is developed.

Mr. CULLOM. I hope that we may have a brief executive session.

The VICE-PRESIDENT. The Chair did not hear the statement of the Senator from Nebraska.

Mr. BURKETT. I submit that it would not be proper to go on with business after the statement made, and not contradicted in the record, that there is no quorum present. As I understand the rule, when a Senator calls attention to the absence of a quorum it is the duty of the presiding officer to direct the roll to be called.

The VICE-PRESIDENT. The Senator from Rhode Island did not raise the point that there is no quorum present. The Chair does not understand that that question was raised by the Senator within the rule.

Mr. NEWLANDS. Mr. President, I think I have the floor.

The VICE-PRESIDENT. The Senator from Nevada has the floor.

Mr. NEWLANDS. I will submit a motion that a certain date be set for the bill. My motion is that House bill 21899 be taken up on Wednesday, January 20, for consideration immediately after the conclusion of the routine morning business, such consideration to be continued until the bill is disposed of. It is a motion.

The VICE-PRESIDENT. The Senator from Nevada moves that House bill 21899 be set for consideration immediately after the close of the routine morning business on Wednesday, January 20 next, and that the consideration of the bill be proceeded with until the bill is disposed of.

Mr. SCOTT. What is the nature of the bill?

The VICE-PRESIDENT. It is an act providing for the appointment of an inland waterways commission with the view to the improvement and development of the inland waterways of the United States. The question is on agreeing to the motion.

Mr. HALE. I move that the Senate proceed to the consideration of executive business.

Mr. NEWLANDS. I do not yield for that motion.

Mr. HALE. I do not ask the Senator to yield. Pending his motion, I move that the Senate proceed to the consideration of executive business.

Mr. NEWLANDS. Mr. President, I rise to a point of order. The VICE-PRESIDENT. The Senator from Nevada will state his point of order.

Mr. NEWLANDS. The point of order is that I have the floor.

The VICE-PRESIDENT. No; the Senator is not entitled to the floor. The Senator from Nevada submitted a motion to the Senate and his motion was before the Senate. The Senator from Maine rose and moved that, pending that motion, the Senate should proceed to the consideration of executive business. The motion of the Senator from Maine is entitled to precedence under the rule.

Mr. HALE. Upon that I call for the regular order, and that is the putting of the motion.

The VICE-PRESIDENT. The question is on agreeing to the motion of the Senator from Maine that the Senate shall proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After eighteen minutes spent in executive session the doors were reopened, and (at 2 o'clock and 30 minutes p. m.) the Senate adjourned until Saturday, December 19, 1908, at 12 o'clock meridian.

#### NOMINATIONS.

*Executive nominations received by the Senate Thursday, December 17, 1908.*

##### COLLECTOR OF CUSTOMS.

Rentfro B. Creager, of Texas, to be collector of customs for the district of Brazos de Santiago, in the State of Texas, in place of John W. Vann, removed.

##### COLLECTOR OF INTERNAL REVENUE.

George E. Work, of West Virginia, to be collector of internal revenue for the district of West Virginia, in place of William E. Glasscock, resigned.

##### REGISTER OF THE LAND OFFICE.

John L. Lockhart, of Pierre, S. Dak., to be register of the land office at Pierre, S. Dak., vice Albert Wheelon, whose term will expire January 23, 1909.

##### PROMOTIONS IN THE NAVY.

The following-named midshipmen to be ensigns in the navy from the 13th day of September, 1908, to fill vacancies existing in that grade on that date:

Gardner L. Caskey,  
John B. Rhodes,  
Philip G. Lauman,  
Arthur W. Frank,  
Albert C. Read,  
George H. Bowdey,  
Ralph T. Hanson,  
Robert A. Theobald,  
Richard Hill,  
Fletcher C. Starr,  
William L. Beck,  
Alfred W. Brown, jr.,  
Frank Russell,  
Guy E. Baker,  
John A. Monroe,  
William F. Newton,  
David A. Scott,  
Willis W. Bradley, jr.,  
David G. Copeland,  
Raymond A. Spruance,  
Calvin P. Page,  
Earle F. Johnson,  
Henry K. Hewitt,  
Felix X. Gyax,  
Guy E. Davis,  
Weyman P. Beehler,  
Lemuel M. Stevens,  
Warren C. Nixon,  
John W. W. Cumming,  
Charles R. Clark,  
Chester H. J. Keppler,  
Charles A. Dunn,  
Frederick W. Milner,  
Charles G. Davy,  
Horace T. Dyer,  
Charles C. Gill,  
Augustin T. Beauregard,

Damon E. Cummings,  
Russell S. Crenshaw,  
Robert A. Burford, jr.,  
Warren G. Child,  
Herbert S. Babbitt,  
William H. Lee,  
Bryson Bruce,  
William P. Williamson,  
Randall Jacobs,  
Vaughn V. Woodward,  
Richard S. Edwards,  
Robert T. S. Lowell,  
Clyde R. Robinson,  
Richard T. Keiran,  
Ralph C. Needham,  
James B. Howell,  
Charles C. Slayton,  
John H. Hoover,  
Louis H. Maxfield,  
Raymond F. Frelsen,  
William H. Walsh,  
Alfred W. Atkins,  
Claude A. Jones,  
Harry Campbell,  
George W. Kenyon,  
Allan S. Farquhar,  
Lucien F. Kimball,  
Harold M. Bemis,  
John M. Schelling, and  
Bert B. Taylor.

Capt. William W. Kimball to be a rear-admiral in the navy from the 17th day of December, 1908, vice Rear-Admiral William H. Emory, retired.

#### CONFIRMATIONS.

*Executive nominations confirmed by the Senate December 17, 1908.*

##### CONSUL-GENERAL.

John P. Bray to be consul-general of the United States of class 4 at Sydney, New South Wales, Australia.

##### CONSULS.

Joseph M. Authier to be consul of the United States of class 9 at Guadeloupe, West Indies.

Frank C. Denison to be consul of the United States of class 9 at Fernie, British Columbia, Canada.

Edward A. Creevey to be consul of the United States of class 7 at St. Michaels, Azores.

George H. Jackson to be consul of the United States of class 8 at Cognac, France.

Frederick M. Ryder to be consul of the United States of class 6 at Rimouski, Quebec, Canada.

##### COMMISSIONER OF LABOR.

Charles P. Neill to be Commissioner of Labor, Department of Commerce and Labor.

##### ENVOY EXTRAORDINARY AND MINISTER PLENIPOTENTIARY.

Huntington Wilson to be envoy extraordinary and minister plenipotentiary of the United States to Roumania and Servia and diplomatic agent in Bulgaria.

##### ASSISTANT TO THE ATTORNEY-GENERAL.

Wade H. Ellis to be assistant to the Attorney-General.

##### PHILIPPINE COMMISSION.

W. Cameron Forbes to be vice-governor of the Philippine Islands.

Gregorio Araneta to be a member of the Philippine Commission and secretary of finance and justice in the government of the Philippine Islands.

Newton W. Gilbert to be a member of the Philippine Commission.

Rafael Palma to be a member of the Philippine Commission.

##### REGISTER OF LAND OFFICE.

Thomas C. Tillotson to be register of the land office at Roswell, N. Mex.

##### RECEIVER OF PUBLIC MONEYS.

Andrew P. Adolphson to be receiver of public moneys at Leadville, Colo.

##### SURVEYOR-GENERAL OF ALASKA.

William L. Distin to be surveyor-general of Alaska.

## PROMOTIONS IN THE NAVY.

Lieut. Commander Patrick W. Hourigan to be a commander in the navy from the 11th day of July, 1908, vice Commander Henry C. Gearing, promoted.

Lieut. Commander William G. Miller to be a commander in the navy from the 20th day of July, 1908, vice Commander Burns T. Walling, promoted.

Ensign William D. Greetham to be a lieutenant (junior grade) in the navy from the 30th day of July, 1908, upon the completion of three years' service in present grade.

Lieut. Commander George W. Kline to be a commander in the navy from the 1st day of August, 1908, vice Commander Clifford J. Boush, promoted.

Commander James H. Sears to be a captain in the navy from the 3d day of September, 1908, vice Capt. Greenleaf A. Merriam, deceased.

Capt. William P. Potter, an additional number in grade, to be a rear-admiral in the navy from the 30th day of October, 1908, with Capt. Gottfried Blocklinger, promoted.

Commander Charles C. Rogers to be a captain in the navy from the 30th day of October, 1908, vice Capt. Gottfried Blocklinger, promoted.

Capt. Nathan E. Niles to be a rear-admiral in the navy from the 12th day of November, 1908, vice Rear-Admiral James M. Miller, deceased.

Capt. Newton E. Mason, an additional number in grade, to be a rear-admiral in the navy from the 12th day of November, 1908, with Capt. Giles B. Harber, promoted.

Commander John T. Newton to be a captain in the navy from the 12th day of November, 1908, vice Capt. Nathan E. Niles, promoted.

Commander Benjamin Tappan, an additional number in grade, to be a captain in the navy from the 12th day of November, 1908, with Commander John T. Newton, promoted.

Lieut. Commander George R. Evans to be a commander in the navy from the 12th day of November, 1908, vice Commander John T. Newton, promoted.

Lieut. Walter S. Turpin to be a lieutenant-commander in the navy from the 28th day of January, 1908, vice Lieut. Commander William L. Howard, promoted, to correct the date from which Lieut. Commander Turpin takes rank as confirmed on January 30, 1908.

Lieut. William S. Whitted to be a lieutenant-commander in the navy from the 30th day of January, 1908, vice Lieut. Commander Robert B. Higgins, promoted.

Lieut. Walter J. Manion to be a lieutenant-commander in the navy from the 25th day of February, 1908, vice Lieut. Commander Isaac K. Seymour, deceased, to correct the date from which Lieutenant-Commander Manion takes rank as confirmed on April 23, 1908.

Lieut. George E. Gelm to be a lieutenant-commander in the navy from the 17th day of April, 1908, vice Lieut. Commander Charles S. Bookwalter, resigned.

Lieut. Frank H. Brumby to be a lieutenant-commander in the navy from the 23d day of April, 1908, vice Lieut. Commander John C. Leonard, promoted.

Lieut. James P. Morton, an additional number in grade, to be a lieutenant-commander in the navy from the 23d day of April, 1908, with Lieut. Frank H. Brumby, promoted.

Lieut. Frank P. Baldwin to be a lieutenant-commander in the navy from the 24th day of April, 1908, vice Lieut. Commander John M. Ellicott, promoted.

Lieut. George L. P. Stone to be a lieutenant-commander in the navy from the 15th day of May, 1908, vice Lieut. Commander Charles W. Dyson, promoted.

Lieut. Harris Laning to be a lieutenant-commander in the navy from the 1st day of July, 1908, vice Lieut. Commander Harry George, promoted.

Lieut. Franklin D. Karns to be a lieutenant-commander in the navy from the 1st day of July, 1908, vice Lieut. Commander Frederick L. Chapin, promoted.

Lieut. David W. Todd to be a lieutenant-commander in the navy from the 1st day of July, 1908, vice Lieut. Commander William C. Herbert, promoted.

Lieut. John V. Klemann to be a lieutenant-commander in the navy from the 1st day of July, 1908, vice Lieut. Commander Alexander S. Halstead, promoted.

Lieut. Henry V. Butler to be a lieutenant-commander in the navy from the 1st day of July, 1908, vice Lieut. Commander Harry A. Field, promoted.

Lieut. Walter R. Gherardi to be a lieutenant-commander in the navy from the 1st day of July, 1908, vice Lieut. Commander Chester M. Knepper, promoted.

Lieut. James J. Raby to be a lieutenant-commander in the navy from the 1st day of July, 1908, vice Lieut. Commander Clarence S. Williams, promoted.

Lieut. Frederic N. Freeman to be a lieutenant-commander in the navy from the 1st day of July, 1908, vice Lieut. Commander Frank K. Hill, promoted.

Lieut. William H. Standley to be a lieutenant-commander in the navy from the 1st day of July, 1908, vice Lieut. Commander Roger Welles, promoted.

Lieut. Kenneth M. Bennett to be a lieutenant-commander in the navy from the 1st day of July, 1908, vice Lieut. Commander John D. McDonald, promoted.

Lieut. Edward H. Watson to be a lieutenant-commander in the navy from the 1st day of July, 1908, vice Lieut. Commander Hilary P. Jones, promoted.

Lieut. James E. Walker to be a lieutenant-commander in the navy from the 1st day of July, 1908, vice Lieut. Commander William R. Shoemaker, promoted.

Lieut. Rufus Z. Johnston to be a lieutenant-commander in the navy from the 1st day of July, 1908, vice Lieut. Commander Charles P. Plunkett, promoted.

Lieut. Thomas D. Parker to be a lieutenant-commander in the navy from the 4th day of July, 1908, vice Lieut. Commander Volney O. Chase, promoted.

Lieut. Thomas T. Craven to be a lieutenant-commander in the navy from the 19th day of July, 1908, vice Lieut. Commander George R. Slocum, promoted.

Lieut. Daniel W. Wurtzbaugh, an additional number in grade, to be a lieutenant-commander in the navy from the 19th day of July, 1908, with Lieut. Thomas T. Craven, promoted.

Lieut. Ralph Earle to be a lieutenant-commander in the navy from the 20th day of July, 1908, vice Lieut. Commander William G. Miller, promoted.

Lieut. Gatewood S. Lincoln to be a lieutenant-commander in the navy from the 1st day of August, 1908, vice Lieut. Commander George W. Kline, promoted.

Lieut. Wat T. Cluverius to be a lieutenant-commander in the navy from the 25th day of October, 1908, vice Lieut. Commander Harrison A. Bispham, promoted.

First Lieut. Frank C. Lander to be a captain in the Marine Corps from the 13th day of May, 1908, vice Capt. Newt H. Hall, promoted.

First Lieut. Eli T. Fryer to be a captain in the Marine Corps from the 13th day of May, 1908, vice Capt. Charles S. Hill, promoted.

First Lieut. Earl H. Ellis to be a captain in the Marine Corps from the 14th day of May, 1908, vice Capt. David D. Porter, appointed assistant adjutant and inspector.

Second Lieut. Samuel W. Bogan to be a first lieutenant in the Marine Corps from the 13th day of May, 1908, vice First Lieut. Robert Y. Rhea, promoted.

Second Lieut. Albert E. Randall to be a first lieutenant in the Marine Corps from the 13th day of May, 1908, vice First Lieut. Thomas Holcomb, jr., promoted.

Lieut. Jonas H. Holden to be a lieutenant-commander in the navy from the 11th day of July, 1908, vice Lieut. Commander Patrick W. Hourigan, promoted.

Asst. Paymaster Horace B. Worden to be a passed assistant paymaster in the navy from the 23d day of October, 1907, upon the completion of three years' service in present grade.

Mate William G. Smith, U. S. Navy, retired (died June 9, 1907), to be a mate on the retired list, with the rank and retired pay of the next higher grade, viz, the lowest grade of warrant officers, from the 29th day of June, 1906, to the date of his death, June 9, 1907, in accordance with the provisions of an act of Congress approved June 29, 1906.

## POSTMASTERS.

## ALABAMA.

George R. Lewis to be postmaster at Bessemer, Ala.

## ARKANSAS.

James F. Burrus to be postmaster at Atkins, Ark.

## DELAWARE.

John R. Black to be postmaster at Milton, Del.

## FLORIDA.

Charles E. Barnes to be postmaster at Plant City, Fla.

Newell B. Hull to be postmaster at Starke, Fla.

Charles H. Jones to be postmaster at Quincy, Fla.

## IDAHO.

Nettie B. Carpenter to be postmaster at Grangeville, Idaho.

Charles C. Moore to be postmaster at St. Anthony, Idaho.

A. T. Shane to be postmaster at Idaho Falls, Idaho.  
Thomas C. White to be postmaster at St. Maries, Idaho.

## INDIANA.

Charles E. Hillstrom to be postmaster at Chesterton, Ind.  
Phineas O. Small to be postmaster at Laporte, Ind.  
Moses Specter to be postmaster at East Chicago, Ind.

## KANSAS.

Eli A. Baum to be postmaster at Burden, Kans.  
Orlando A. Cheney to be postmaster at Fort Scott, Kans.  
Frank S. McKelvey to be postmaster at Gas, Kans.  
Lewis Pickrell to be postmaster at Minneapolis, Kans.

## MICHIGAN.

Herman A. Wyckoff to be postmaster at Pontiac, Mich.

## MISSOURI.

William Bostian to be postmaster at Independence, Mo.  
Solomon R. McKay to be postmaster at Troy, Mo.

## MONTANA.

Richard W. Garland to be postmaster at Malta, Mont.

## NEBRASKA.

George H. Borden to be postmaster at Beaver Crossing, Nebr.  
Augustine A. Hyers to be postmaster at Havelock, Nebr.  
Charles F. Leetham to be postmaster at St. Paul, Nebr.  
Charles W. Meeker to be postmaster at Imperial, Nebr.  
Frederick W. Richardson to be postmaster at Battle Creek, Nebr.

Isaac Roush to be postmaster at Kimball, Nebr.  
Clifton F. Stockwell to be postmaster at Bassett, Nebr.  
Fay Whitfield to be postmaster at Peru, Nebr.

## NEW MEXICO.

Edward Pennington to be postmaster at Deming, N. Mex.

## NORTH CAROLINA.

Daniel E. Forrest to be postmaster at Effland, N. C.  
Augusta Meares to be postmaster at Clarkton, N. C.  
Benjamin O. Morris to be postmaster at Mocksville, N. C.

## OHIO.

George C. Braden to be postmaster at Warren, Ohio.  
E. C. Gething to be postmaster at Hubbard, Ohio.  
William C. Newell to be postmaster at Bainbridge, Ohio.  
George W. C. Perry to be postmaster at Chillicothe, Ohio.

## OKLAHOMA.

Henry Amey to be postmaster at Fort Cobb, Okla.  
Alfred M. Clark to be postmaster at Gage, Okla.  
Horace Gray to be postmaster at Tahlequah, Okla.  
Ira A. Hill to be postmaster at Cherokee, Okla.  
Alexander B. Holliday to be postmaster at Crescent, Okla.  
Will Huston to be postmaster at Thomas, Okla.  
Walter F. McCague to be postmaster at Ralston, Okla.  
Erastus G. McRee to be postmaster at Granite, Okla.  
Downey Milburne to be postmaster at Coweta, Okla.  
George Ruddell to be postmaster at Weatherford, Okla.  
A. J. Thompson to be postmaster at Okarche, Okla.  
Merrel L. Thompson to be postmaster at Hartshorne, Okla.  
Benjamin F. Williams to be postmaster at Sayre, Okla.

## PENNSYLVANIA.

Samuel C. Graham to be postmaster at Starjunction, Pa.  
John Nelson to be postmaster at Leetsdale, Pa.

## SOUTH DAKOTA.

Marion H. Moore to be postmaster at Bellefourche, S. Dak.  
Thomas T. Smith to be postmaster at Canton, S. Dak.

## UTAH.

Jonathan S. Page, jr., to be postmaster at Payson, Utah.

## WYOMING.

Frederick E. Davis to be postmaster at Wheatland, Wyo.

## WITHDRAWALS.

*Executive nominations withdrawn from the Senate Thursday, December 17, 1908.*

## COLLECTOR OF CUSTOMS.

Charles A. Judson, of Ohio, to be collector of customs for the district of Sandusky, in the State of Ohio, sent to the Senate December 8, 1908.

## POSTMASTER.

## WYOMING.

William O'Connell to be postmaster at Kemmerer, in the State of Wyoming.

## HOUSE OF REPRESENTATIVES.

THURSDAY, December 17, 1908.

The House met at 12 o'clock noon.

Prayer by the Chaplain, Rev. Henry N. Couden, D. D.

The Journal of the proceedings of yesterday was read and approved.

## THE SECRET SERVICE—PRESIDENT'S ANNUAL MESSAGE.

Mr. PERKINS. Mr. Speaker, in behalf of the special committee appointed to report upon certain portions of the President's message, I offer the following resolution and ask that it be reported by the Clerk.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

Whereas there was contained in the sundry civil appropriation bill which passed Congress at its last session and became a law a provision in reference to the employment of the Secret Service in the Treasury Department; and

Whereas in the last annual message of the President of the United States to the two Houses of Congress it was stated in reference to that provision, "It is not too much to say that this amendment has been of benefit only, and could be of benefit only, to the criminal classes," and it was further stated, "The chief argument in favor of the provision was that the Congressmen did not themselves wish to be investigated by secret-service men," and it was further stated, "But if this is not considered desirable, a special exception could be made in the law, prohibiting the use of the secret-service force in investigating members of Congress. It would be far better to do this than to do what actually was done, and strive to prevent, or at least to hamper, effective action against criminals by the executive branch of the Government;" and

Whereas the plain meaning of the above words is that the majority of the Congressmen were in fear of being investigated by secret-service men, and that Congress as a whole was actuated by that motive in enacting the provision in question; and

Whereas your committee appointed to consider these statements of the President and to report to the House can not find in the hearings before committees nor in the records of the House or Senate any justification of this impeachment of the honor and integrity of the Congress; and

Whereas your committee would prefer, in order to make an intelligent and comprehensive report, just to the President as well as to the Congress, to have all the information which the President may have to communicate; Now, therefore be it

*Resolved*, That the President be requested to transmit to the House any evidence upon which he based his statements that the "chief argument in favor of the provision was that the Congressmen did not themselves wish to be investigated by secret-service men," and also to transmit to the House any evidence connecting any Member of the House of Representatives of the Sixtieth Congress with corrupt action in his official capacity, and to inform the House whether he has instituted proceedings for the punishment of any such individual by the courts or has reported any such alleged delinquencies to the House of Representatives.

Mr. PERKINS. Mr. Speaker, this resolution is recommended unanimously by the special committee. It calls for information to be furnished upon which the committee may make its final report. Upon the receipt of the evidence that may be supplied by the President the matter will be further considered, and a report then made for the consideration of the House.

I yield two minutes to the gentleman from Mississippi [Mr. WILLIAMS].

Mr. WILLIAMS. Mr. Speaker, I hope that this resolution will pass the House unanimously, and substantially without debate. The object of the resolution is to give to the President of the United States an opportunity to show upon what grounds he made his late seemingly unprovoked and unjustified attack upon the honor, the honesty, and the reputation of the legislative branch of the Government. So far as this committee has been able to discover, there is not a scintilla of evidence to support those statements; but the committee has thought that it is just and fair to the President to give him further opportunity to produce testimony, if he has any.

The American people have the right to know, if the American Congress be corrupt, that it is corrupt; and the President having made the statement to the effect that the entire body of the National Legislature has been actuated by the corrupt motive of shielding criminal Congressmen, we have thought it was right, before we brought in the final resolution, to give him all opportunity to establish the fact that he had some reason for making that statement. If he does not furnish any evidence, or furnishes insufficient evidence, to support his statement, then the country, which is the master of both of us, will come to its own judgment of his conduct. Meanwhile, this committee will remain in session—it does not become functus officio—and it will be ready to receive, to consider, and to weigh whatsoever competent and relevant evidence the President can furnish, and to act toward him and toward the House with absolute justice and impartiality, and to advise this House on a full analysis of the facts.

I hope the resolution will pass the House unanimously as an expression of its opinion.